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PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEABED AUTHORITY
AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE SEA

REPORT OF THE PREPARATORY COMMISSION, UNDER PARAGRAPH 11 OF RESOLUTION I OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA, ON ALL MATTERS WITHIN ITS MANDATE, EXCEPT AS PROVIDED IN PARAGRAPH 10, FOR PRESENTATION TO THE ASSEMBLY OF THE INTERNATIONAL SEABED AUTHORITY AT ITS FIRST SESSION

VOLUME I

Provisional final report of the Plenary and documents relevant to the implementation of resolution II (Plenary)

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Introductory note

The International Seabed Authority was established by the 1982 United Nations Convention on the Law of the Sea. In preparing for the International Seabed Authority, resolution I, adopted with the Convention by the Third United Nations Conference on the Law of the Sea, established the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea. The Preparatory Commission was mandated, inter alia, to prepare a final report on all matters within its mandate, except as provided in paragraph 10 of the resolution, for presentation to the Assembly of the International Seabed Authority at its first session.

The Preparatory Commission, at its first session, established its Plenary, General Committee and four Special Commissions. The functions of the Plenary included the implementation of resolution II of the Third United Nations Conference on the Law of the Sea, governing preparatory investment in pioneer activities relating to polymetallic nodules, as well as preparing draft rules of procedure of the organs of the Authority, making recommendations concerning the relationship between the Authority and various entities and preparing rules, regulations and procedures on the administrative, financial and budgetary matters pertaining to the various organs of the Authority. The General Committee acted on behalf of the Preparatory Commission as the executive organ for the administration of resolution II. In connection with the discharge of its responsibilities relating to the implementation of resolution II, the Preparatory Commission, at its ninth session, established the Training Panel.

Special Commission 1 was charged with undertaking studies on the problems which would be encountered by developing land-based producer States likely to be most seriously affected by the production of minerals derived from the international seabed area with a view to minimizing their difficulties and helping them to make the necessary economic adjustments. It was also required to prepare studies on the establishment of a compensation fund, and to submit recommendations to the Authority thereon. Special Commission 2 was charged with the adoption of all measures necessary for the early entry into effective operation of the Enterprise - the mining arm of the Authority. Special Commission 3 was charged with the preparation of rules, regulations and procedures for the exploration and exploitation of the Area - the seabed mining code.

The present document, LOS/PCN/153, containing 13 volumes, constitutes the report of the Preparatory Commission for presentation to the Assembly of the Authority at its first session, as mandated by resolution I of the Third United Nations Conference on the Law of the Sea. It is composed of the reports and

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Chapter I

PROVISIONAL FINAL REPORT OF THE PLENARY*

A. Implementation of resolution II

12. Resolution II of the Third United Nations Conference on the Law of the Sea was adopted together with the Convention on the Law of the Sea on 30 April 1982. The intent of the resolution was to protect the substantial investments already made in the development of seabed mining technology, equipment and expertise. It was also recognized that there was a need to ensure that the Enterprise would be provided with the funds, technology and expertise necessary to enable it to keep pace with States and other entities. The Preparatory Commission was entrusted with the task of implementing resolution II, which embodied the regime for the protection of pioneer investment. This function was assigned to the Plenary of the Preparatory Commission (LOS/PCN/27). The General Committee acted on behalf of the Preparatory Commission as the executive organ for the administration of resolution II.

13. The Plenary began its work on the implementation of resolution II with the consideration of a set of draft rules for the registration of pioneer investors and draft rules on confidentiality, data and information (LOS/PCN/WP.16 and Corr.1). After the first reading of that document it was concluded that there were three principal issues to be addressed by the Plenary on resolution II. The first was the question of overlap of claims, the second related to the question of the Group of Technical Experts, in particular its nature, composition and function, and the third issue concerned the question of the confidentiality of data and information.

14. It was agreed that these issues were difficult to resolve but that it would be relatively easy to deal with both the issue of confidentiality of data and information and that of the Group of Technical Experts if a solution could be found to the question of overlapping claims (LOS/PCN/L.6).

15. Under resolution II applicants for pioneer investor status are required to ensure that areas in respect of which applications are made do not overlap one another. Any State which has signed the Convention and which is a prospective certifying State shall ensure, before making applications to the Commission, that areas in respect of which an application is made do not overlap one another. The States concerned shall resolve the conflicts by negotiations within a reasonable period. If these conflicts were not resolved by 1 March 1983, the prospective certifying States were to arrange for their submission to binding arbitration in accordance with UNCITRAL Arbitration Rules to commence not later than 1 May 1983 and to be completed by 1 December 1984.

16. Therefore, the first and by far the most important issue facing the Preparatory Commission with respect to the implementation of resolution II was

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* This chapter is a revised version of the report which originally appeared in document LOS/PCN/WP.52.

the question of overlaps. At the second session of the Preparatory Commission (1984), the Chairman of the Preparatory Commission was requested to use his good offices to help the parties reach an agreement on resolving their conflicts of overlaps. At the summer meeting held at Geneva in 1984, an understanding on the procedure for conflict resolution among the first group of applicants for registration as pioneer investors - France, India, Japan and the Union of Soviet Socialist Republics - was reached. It should be noted that the Soviet Union had submitted its application in July 1983, India in January 1984, and both France and Japan in August 1984. According to the understanding it was stated, inter alia, that all applicants agreed to meet on 17 December 1984 to exchange lists of coordinates in order to ascertain if there were any overlaps between the areas claimed in the applications submitted to the Preparatory Commission for registration as pioneer investors. If any overlap of claims were to be found between two or more applicants, the conflict should be resolved through negotiations (LOS/PCN/L.8).

17. In accordance with that understanding, the four applicants met at Geneva on 17 December 1984 to exchange lists of coordinates of the areas claimed by them. It was discovered that overlaps existed between the application areas of Japan and the Soviet Union and between those of France and the Soviet Union. Those areas were all situated in the north-eastern part of the Pacific. India, whose application was in the Indian Ocean, had no conflict of overlaps with respect to its application area (LOS/PCN/L.19).

18. The three countries - France, Japan and the Soviet Union - held a series of meetings in order to resolve the conflicts of overlaps in the application areas (LOS/PCN/56). It was possible to resolve on a provisional basis the conflict of overlaps between Japan and the Soviet Union, but that between France and the Soviet Union proved difficult to resolve. It was difficult to find a solution which would meet all the conditions set out in paragraph 3 (a) of resolution II, which provides in part that "every application shall cover a total area which need not be a single continuous area, sufficiently large and of sufficient estimated commercial value to allow two mining operations", a part of which being reserved for the International Seabed Authority.

19. A period of intense negotiations ensued. Meetings of the four applicants were held at Geneva, Tokyo and finally Arusha in February 1986. At the Arusha meeting the four applicants submitted a set of proposals which constituted what became known as the Arusha understanding. This understanding dealt with two significant issues: (i) the resolution of conflicts due to overlaps and (ii) the allocation of mine sites to the first group of applicants and the designation of reserved areas for the Authority (LOS/PCN/L.34). This understanding introduced, inter alia, two new elements into the pioneer investor regime - the idea of applying paragraph 1 (e) of resolution II at the time when an application was being registered (prior relinquishment of areas) and the notion of self-selection of the pioneer areas. It will be recalled that according to resolution II it was the Preparatory Commission and not the applicant which had to designate the part of the area to be reserved for the Authority and to allocate to the pioneer investor the pioneer area (resolution II, para. 3 (b)).

20. The Chairman conducted consultations on this understanding with all the interested groups: the first group of applicants, the potential applicants, the Group of 10, representing the Group of 77, and the Group of 11, also known as the Friends of the Convention, as well as China. Finally, it was possible to put together an understanding which is contained in the statement on the implementation of resolution II of 11 September 1986 (LOS/PCN/L.41/Rev.1, annex).

21. That statement established the procedures and mechanisms essentially designed for the registration of the first group of applicants. It provided for the submission of revised applications by France, Japan and the Union of Soviet Socialist Republics and a timetable for meetings of the General Committee to consider those applications.

22. It also provided for the creation of a Group of Technical Experts. The function of this group was to determine whether an application was in conformity with resolution II and to submit a report on it to the General Committee. The General Committee was to consider the application taking into account the report of the Group of Experts.

23. The statement incorporated the elements already mentioned in respect of the Arusha understanding. Thus, an applicant that had practical problems in resolving its conflicts with respect to overlapping claims with potential applicants was entitled to make voluntary relinquishment of parts of the application areas simultaneously with its registration as a pioneer investor. The relinquished areas were to be reserved to form part of the application areas of potential applicants qualified to apply as pioneer investors under resolution II, paragraph 1 (a) (ii), until the Convention entered into force. Those applicants which did not have practical problems and did not make voluntary advance relinquishments of areas were deemed to have complied with the requirements of resolution II, paragraph 1 (e), upon registration, provided that the total pioneer area allocated to them did not exceed 75,000 sq. km. (ibid., para. 10).

24. With respect to the registration of India, the statement declared that:

> "Notwithstanding the foregoing the registration of India as a pioneer investor shall be made in conformity with resolution II. However, India, like other applicants, if it so wishes, will identify in its application area an area totalling 52,300 sq. km. for incorporation in the area of up to 150,000 sq. km. to be allocated to it as a pioneer area. The provisions on relinquishment in resolution II, paragraph 1 (e), shall apply to the allocated area" (ibid., para. 13 (3)).

25. As far as the exploration of a mine site for the Enterprise is concerned it stated that:

> "Notwithstanding the provisions of paragraph 12 (a) (i) of resolution II, the first group of applicants will assist the Preparatory Commission and the Authority in the exploration of a mine site for the first operation of the Enterprise and in preparing a plan of work in respect of such a mine site. The conditions and extent of this assistance

will be discussed and agreed to following registration, applying mutatis mutandis the provisions of paragraph 7 (c) of resolution II" (ibid., para. 14).

26. The interests of potential applicants were taken into account in that the statement provided for similar treatment to be given to potential applicants as that given to the first group of applicants, provided that potential applicants assumed similar obligations to those of the first group of applicants, and had submitted their applications before the entry into force of the Convention (LOS/PCN/L.41/Rev.1, ibid., para. 15).

27. The procedures and mechanisms outlined in the understanding were devised in order to overcome practical difficulties in the implementation of resolution II and to facilitate the early registration of the first group of applicants as soon as possible.

28. The procedures and mechanisms were essentially designed for the registration of the first group of applicants as pioneer investors under resolution II and constituted an integrated package to be implemented as a whole. They shall be respected by all concerned.

29. It should be noted that the procedures and mechanisms outlined in the understanding "shall not be construed as setting a precedent for the implementation of the regime for seabed mining under the Convention, nor do they purport to alter or amend that regime in any way" (ibid., para. 18).

30. It was also agreed that any developing State that has signed the Convention or any State enterprise or natural or juridical person that possesses the nationality of such State or is effectively controlled by it or its nationals, or any group of the foregoing, shall have the right to apply as pioneer investor under resolution II, until the Convention enters into force. Likewise, a group of Socialist States of Eastern Europe or a group of their State enterprises was also given the right to apply for one mine site as pioneer investors under resolution II until the Convention enters into force.

31. It will be recalled that in order to qualify as a pioneer investor, the State or entity must have expended before 1 January 1983 an amount equivalent to at least US$ 30 million in pioneer activities, no less than 10 per cent of which had to be expended in the location, survey and evaluation of the application area (resolution II, para. 1 (a)). Under paragraph 1 (a) (iii) of resolution II, a developing country which has signed the Convention must have met this requirement before 1 January 1985.

32. At the summer meeting in 1987, the delegations of Belgium, Canada, Italy, the Netherlands and the Union of Soviet Socialist Republics informed the Preparatory Commission of the meetings between the representatives of their countries held after the fifth session between April and July 1987, with a view to settling practical problems in connection with deep seabed areas which their countries had applied for or might apply for in the future. After four rounds of meetings were held, it was possible to achieve a comprehensive settlement of practical problems (LOS/PCN/90). The delegations of the United Kingdom of Great Britain and Northern Ireland and the Federal Republic of Germany welcomed the

successful outcome of these negotiations on practical problems and associated themselves with that settlement (LOS/PCN/92 and LOS/PCN/93). In the light of the settlement, France, Japan and the USSR revised their applications.

33. This development ensured that all the applications for pioneer investment status would be considered by the Group of Technical Experts and the General Committee. The reports of the Group of Experts on the applications of India, France, Japan and the Union of Soviet Socialist Republics are found respectively in documents LOS/PCN/BUR/R.1, LOS/PCN/BUR/R.2, LOS/PCN/BUR/R.3 and LOS/PCN/BUR/R.4.

34. The General Committee, acting as the executive body of the Preparatory Commission, registered as pioneer investors first India on 17 August 1987, and then IFREMER/AFERNOD (France), DORD (Japan) and Yuzhmorgeologiya (Union of Soviet Socialist Republics) on 17 December 1987 (LOS/PCN/94, LOS/PCN/97, LOS/PCN/98 and LOS/PCN/99). The General Committee also designated a part of the application areas to be reserved for the conduct of activities by the Authority in the Area through the Enterprise or in association with developing States.

35. Following the registration of the four pioneer investors in 1987, the Chairman of the Preparatory Commission during the course of the sixth session (1988) undertook consultations on the modalities of the implementation of the obligations of the registered pioneer investors and their certifying States. An informal consultative group was formed to deal with these issues which related, inter alia, to the following matters:

(a) Exploration in the area reserved for activities by the Authority (resolution II, para. 12 (a) (i), and LOS/PCN/L.41/Rev.1, annex, para. 14);

(b) Annual fixed fee of US$ 1 million (resolution II, para. 7 (b));

(c) Training of personnel (resolution II, para. 12 (a) (ii));

(d) Registration fee (resolution II, para. 7 (a));

(e) Transfer of technology (resolution II, para. 12 (a) (iii));

(f) Periodic expenditures (resolution II, para. 7 (c));

(g) Funds for the Enterprise (resolution II, para. 12 (b) (i));

(h) Periodic reports (resolution II, paras. 5 (b) and 12 (b) (ii)) (LOS/PCN/L.67/Rev.1).

36. These consultations continued during the summer meeting (1988) of the Preparatory Commission. At the seventh session of the Commission in 1989, these consultations were resumed. It then became apparent that certain matters relating to the discharge of obligations, in particular an agreement on a programme of exploration, required the assistance of the Group of Technical Experts.

37. Accordingly the Group of Technical Experts was convened to prepare a comprehensive exploration plan from the first stages of exploration to the stage at which a decision for exploitation could be taken. The Group was also requested to assist the Preparatory Commission in matters relating to the training of personnel (LOS/PCN/L.77).

38. The reports of the Group of Technical Experts provided the basis for resolving the difficulties relating to the implementation of the obligations of the registered pioneer investors and their certifying States (LOS/PCN/BUR/R.5 and LOS/PCN/BUR/R.6). In the light of these reports of the Group of Technical Experts and after further consultations, the Chairman submitted a revised version, dated 31 August 1989, of the paper he had already informally distributed on 3 March 1989. At the eighth session of the Preparatory Commission, held at Kingston in 1990, the issue was extensively discussed and substantial progress was made. During the summer meeting the General Committee, on behalf of the Preparatory Commission, unanimously adopted the understanding on the fulfilment of obligations by the registered pioneer investors and their certifying States (LOS/PCN/L.87, annex).

39. The four registered pioneer investors agreed to provide training pursuant to paragraph 12 (a) (ii) of resolution II in conformity with the training programme approved by the Preparatory Commission, taking into account the report of the Group of Technical Experts (LOS/PCN/BUR/R.6). The cost of such training was to be borne by the pioneer investors and shall be free of costs to the Preparatory Commission.

40. With respect to exploration, the registered pioneer investors (France, Japan and the Soviet Union) undertook to carry out free of cost the preparatory work and stage I of the plan for exploration contained in the report of the Group of Technical Experts (LOS/PCN/BUR/R.5).

41. As regards stage II of the exploration plan, it was understood that "this will be agreed upon following the completion of stage I and the review of the results obtained, and taking into account the decision of any pioneer investor to undertake stage II of the plan of exploration in the areas allocated to it. The terms and conditions for such further exploration shall be agreed upon in accordance with resolution II, paragraph 12 (a) (i)" (LOS/PCN/L.87, annex, para. 9).

42. Once these three pioneer investors had satisfactorily complied with the obligations concerning training and exploration, their duty under resolution II, paragraph 7 (b), to pay US$ 1 million per annum was to be waived as from the date of their registration.

43. It was agreed that India would undertake, if so requested, a programme of exploration in accordance with resolution II, paragraph 12 (a) (i), of one mine site for the Enterprise in the area reserved for the Authority in the Indian Ocean. India's obligation to pay the annual fixed fee of US$ 1 million was also waived "as part of the overall understanding" (ibid., para. 11).

44. The four registered pioneer investors undertook to perform the obligations prescribed in the Convention relating to the transfer of technology, and further

agreed that training in the use of all available technology was to constitute a substantial component of the training programme (resolution II, para. 12 (a) (iii)).

45. The periodic expenditures for exploration to be incurred in accordance with paragraph 7 (c) of resolution II by the four registered pioneer investors in respect of the development of their respective pioneer areas was to be determined by the Preparatory Commission in consultation with and with the cooperation of each registered pioneer investor within 12 months of the adoption of the understanding. Such expenditures shall be reviewed by the Preparatory Commission from time to time in consultation with and with the cooperation of the registered pioneer investor concerned.

46. Each of the four certifying States agreed to provide, in accordance with article 12 (b) (ii) of resolution II, periodic reports to the Commission on the pioneer activities as defined in paragraph 1 (b) of resolution II, carried out by it or by its entities or natural or juridical persons in their respective pioneer areas. Such reports shall be provided annually.

47. Each registered pioneer investor participating in the activities under paragraph 7 of the understanding shall submit a comprehensive annual report to the Preparatory Commission on the type and extent of activities undertaken by it and details of expenditures incurred during that year, as well as a list of data and information gathered as a result of these activities.

48. The Commission recognizes that the obligation of each certifying State under paragraph 12 (b) (i) of resolution II is to be implemented upon entry into force for that State of the 1982 United Nations Convention on the Law of the Sea.

49. Under this understanding the Group of Technical Experts, within three months of the deposit of the Convention's sixtieth instrument of ratification or accession, has to review the state of deep seabed mining and make an assessment as to when commercial production may be expected to begin. If the Group concludes that commercial production will not take place for an extended period of time, the Preparatory Commission shall recommend to the Authority that the annual fixed fee should be waived for a relevant period (LOS/PCN/L.87, annex).

50. According to this understanding the Preparatory Commission or the Authority shall enter into arrangements similar to those contained in this understanding with any other registered pioneer investor or applicant (ibid., para. 17).

51. It may be noted that, on the adoption of the understanding, the Chairman stated:

(i) "Should any agreement be made which would affect in any way this understanding, such adjustments as may be necessary shall be made to it;

(ii) "The required date for the submission of a plan of work by each registered pioneer investor under resolution II, paragraph 8 (a), shall be reviewed in the light of the assessment of the Group of

Technical Experts in accordance with paragraph 12 of the understanding" (LOS/PCN/L.87, para. 40).

52. At the 51st meeting of the Plenary, held on 31 August 1989, the Preparatory Commission adopted a training programme for the Enterprise (LOS/PCN/SCN.2/L.6/Rev.1). The Plenary at its 55th meeting (1990) subsequently adopted the recommendations of Special Commission 2 on the implementation of the Preparatory Commission Training Programme.

53. On 22 August 1990, at its summer meeting, the Preparatory Commission received an application for pioneer investor status from China on behalf of the China Ocean Mineral Resources Research and Development Association (COMRA) (LOS/PCN/113). At the ninth session (1991) of the Preparatory Commission the General Committee, having considered the report of the Group of Technical Experts on China's application (LOS/PCN/BUR/R.7), registered COMRA as a pioneer investor.

54. At the ninth session, the Preparatory Commission received an application from the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics for registration of the Interoceanmetal Joint Organization as a pioneer investor (LOS/PCN/120). At the summer meeting of 1991 the General Committee, having considered the report of the Group of Technical Experts on that application (LOS/PCN/BUR/R.8), registered the Interoceanmetal Joint Organization as a pioneer investor. It may be noted that the Preparatory Commission decided to include Cuba in the list of States having the right to apply as pioneer investors. Cuba was not listed among the States referred to in paragraph 21 of the 1986 statement of understanding as having the right to apply for pioneer investor status (LOS/PCN/L.41, annex, para. 21).

55. At the summer meeting in 1991, the Chairman of the Preparatory Commission continued his informal consultations which he had begun at the ninth session on the implementation of the obligations of the registered pioneer investor, COMRA. The only issue then left to be resolved concerned the matter of similar treatment for future applicants.

56. At the tenth session of the Commission, the consultations on the implementation of the obligations of the registered pioneer investor, COMRA, reached a successful conclusion. The General Committee, on behalf of the Preparatory Commission, unanimously adopted on 12 March 1992 the understanding on the fulfilment of obligations by the registered pioneer investor and its certifying State, the People's Republic of China (LOS/PCN/L.102, annex).

57. Under that understanding the registered pioneer investor, the China Ocean Mineral Resources Research and Development Association (COMRA), on the basis of the available data collected by China in the area reserved for the Authority, shall provide free of cost to the Preparatory Commission:

Computerized database disks for samples, including:

(i) The establishment of comprehensive computerized database disks for sampled stations;

(ii) Data on station number, coordinates, depth, abundance, metal content, device and information on the source of the data, allowing the raw data to be statistically manipulated and presented on various types of maps and graphs.

58. The obligation of the registered pioneer investor, COMRA, under the provisions of paragraph 7 (b) of resolution II shall be waived as of the date of the registration.

59. The pioneer investor was to provide training pursuant to paragraph 12 (a) (ii) of resolution II in conformity with the specific programme for training approved by the Preparatory Commission in accordance with the principles, policies, guidelines and procedures contained in documents LOS/PCN/SCN.2/L.6/Rev.1 and LOS/PCN/SCN.2/L.7, taking into account the report contained in document LOS/PCN/BUR/R.6. It was agreed that the cost of such training was to be borne by the registered pioneer investor and was to be free of cost to the Preparatory Commission. The precise number of trainees, the duration and the fields of training were to be agreed upon between the Preparatory Commission and the registered pioneer investor according to its capabilities. It was further agreed that the first group of trainees was to consist of no less than four individuals.

60. In accordance with paragraph 12 (a) (iii) of resolution II, the registered pioneer investor undertook to perform the obligations prescribed in the United Nations Convention on the Law of the Sea relating to the transfer of technology, and further agreed that training in the use of all available technology was to constitute a substantial component of the training programme.

61. The registered pioneer investor, the China Ocean Mineral Resources Research and Development Association (COMRA), agreed to undertake a programme of exploration, in accordance with the provisions of paragraph 12 (a) (i) of resolution II, of one mine site for the Enterprise in the area designated as the reserved area for the conduct of activities by the Authority.

62. The periodic expenditures for exploration to be incurred in accordance with paragraph 7 (c) of resolution II by the registered pioneer investor in respect of the development of the pioneer area was to be determined by the Preparatory Commission in consultation with and with the cooperation of the registered pioneer investor within 12 months of the adoption of the understanding. Such expenditures were to be reviewed by the Preparatory Commission from time to time in consultation with and with the cooperation of the registered pioneer investor (LOS/PCN/L.102, annex).

63. The understanding also contains a clause on similar treatment of any other registered pioneer investor or future applicant. It stated:

> "[T]aking into account paragraph 19 (e) of the statement on the implementation of resolution II (LOS/PCN/L.41/Rev.1, annex), paragraph 17 of LOS/PCN/L.87, annex, and this understanding, as well as the relevant characteristics and merits of each application, the Preparatory Commission or the Authority shall enter into arrangements similar to those contained

in the above understandings with any other registered pioneer investor or future applicant". (ibid., para. 11)

64. At the tenth session during the summer meeting the General Committee unanimously adopted the understanding on the fulfilment of obligations by the registered pioneer investor, the Interoceanmetal Joint Organization (IOM) and its certifying States, the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Russian Federation (LOS/PCN/L.108, annex). The provisions of this understanding are similar to those contained in the understanding on the fulfilment of obligations by the registered pioneer investor COMRA and its certifying State the People's Republic of China.

65. At this session also meetings of the General Committee were held to monitor the implementation of the obligations of the registered pioneer investors. On 12 March 1992, the General Committee considered the report of the Group of Technical Experts on the Preparatory Work carried out by the registered pioneer investors IFREMER/AFERNOD, DORD and Yuzhmorgeologiya, in accordance with the understanding on the fulfilment of obligations (LOS/PCN/L.87, annex) and approved the recommendations therein.

66. In accordance with paragraph 5 of the fulfilment of obligations by the registered pioneer investors and their certifying States (ibid.), the certifying States - France (on behalf of IFREMER/AFERNOD), India, Japan (on behalf of DORD) and the Russian Federation (on behalf of Yuzhmorgeologiya) - submitted periodic reports to the Preparatory Commission on the pioneer activities carried out respectively by the registered pioneer investors (LOS/PCN/BUR/R.11, LOS/PCN/BUR/R.12, LOS/PCN/BUR/R.13 and LOS/PCN/BUR/R.14). France, India and Japan made oral presentations of their reports to the General Committee on 26 February 1992. The report submitted by the delegation of the Russian Federation was orally presented and was considered by the General Committee on 10 March 1992.

67. The General Committee, having considered the reports of the certifying States, took note of them.

Future work

68. In more general terms as far as resolution II is concerned, the task of the Preparatory Commission is to continue its implementation, including the monitoring of the obligations of the registered pioneer investor IFREMER/AFERNOD and its certifying State, France; of the registered pioneer investor DORD and its certifying State, Japan; of the registered pioneer investor Yuzhmorgeologiya and its certifying State, the Russian Federation; the registered pioneer investor, India; the registered pioneer investor COMRA and its certifying State, the People's Republic of China; and of the registered pioneer investor IOM and its certifying States, the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, 1/ the Republic of Poland and the Russian Federation. These obligations are respectively contained in the statement on the implementation of resolution II (LOS/PCN/L.41/Rev.1, annex), the understanding on the fulfilment of obligations by the registered pioneer investors and their certifying States (LOS/PCN/L.87, annex), the understanding

on the fulfilment of obligations by the registered pioneer investor COMRA, and its certifying State, the People's Republic of China (LOS/PCN/L.102, annex), and the understanding on the fulfilment of obligations by the registered pioneer investor IOM and its certifying States, the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Russian Federation (LOS/PCN/L.108, annex).

B. The Plenary on the Authority

69. The areas of responsibility assigned to the Plenary on the Authority within the framework of the Preparatory Commission could be divided into the following three categories:

(a) Preparation of draft rules of procedure for the organs of the Authority;

(b) Preparation of draft agreements concerning the relationship of the Authority with the United Nations, the host country and the Parties to the Convention on the Law of the Sea;

(c) Submission of recommendations concerning administrative arrangements of the Authority, its initial financial and secretariat requirements, as well as staff and financial regulations of the Authority.

1. Preparation of draft rules of procedure for the organs of the Authority

70. The Plenary on the Authority started its work with the examination of the draft rules of procedure of the Assembly and subsequently proceeded to the consideration of the draft rules of procedure of the Council, the Legal and Technical Commission and the Economic Planning Commission.

71. The Plenary on the Authority held two readings of the draft rules of each of the above-mentioned organs and finalized their texts with the exception of the provisions relating to financial and budgetary matters, decision-making on questions of substance, elections, participation of observers and subsidiary organs. No agreement could be reached with regard to these substantive provisions, which were identified by the Preparatory Commission as the so-called "hard-core" issues (see the annex to the present report).

72. The final text of the draft rules of procedure of the Assembly is contained in document LOS/PCN/WP.20/Rev.3.

73. It should be noted that some of the rules of the Assembly were adopted by the Plenary on the Authority subject to the understandings which were subsequently reflected in the Chairman's reports.

74. With regard to rule 1 on the regular sessions of the Assembly, it was approved on the understanding that although it was agreed that this rule should follow the text of article 159, paragraph 1, of the Convention on the Law of the

Sea, the Authority might need to review in the future the overall picture of meetings of all its organs, taking account of financial considerations (LOS/PCN/L.67/Rev.1, para. 20).

75. Draft rules 22 to 26 of sections III and IV on representation and credentials as well as rule 50 concerning public meetings and rule 59 entitled "Closing of list of speakers, right of reply" were approved on the understanding that, if required, they could be reconsidered once rule 93 on observers was finalized (ibid., para. 21).

76. With regard to rule 105 concerning financial implications, the Chairman's report notes that the text of this rule might need some modifications and adjustments in the light of the provisions to be adopted on the Finance Committee (LOS/PCN/L.67/Rev.1, para. 23).

77. As far as rule 68 on voting rights is concerned, it should be noted that the delegation of the European Economic Community (EEC) introduced an amendment to this rule concerning the participation in decision-making of an international organization referred to in Annex IX of the United Nations Convention on the Law of the Sea (LOS/PCN/WP.46). According to this proposal, a second paragraph should be added to rule 68, which would read as follows:

> "2. An international organization, Party to the Convention in accordance with Annex IX of the Convention, shall only participate in votes on matters relating to which competence has been transferred to it by its member States. In such a case, its member States shall not participate in the vote, and the international organization shall cast the votes which would otherwise - in the absence of transfer of competence - be cast by its member States Parties to the Convention."

78. The proposal mentioned in the preceding paragraph was extensively discussed. No solution was reached on it. It is recommended that further consideration be given to it by the Assembly of the Authority at an appropriate time.

79. It was clear from the debate that, in accordance with the Convention on the Law of the Sea, the vote to be cast by an international organization Party to the Convention should in no case entail an increase in the number of votes (LOS/PCN/L.72, paras. 6 and 7).

80. As mentioned above, the rules of procedure of the organs of the Authority were not completely finalized because of disagreement on several key elements of the rules, which were identified as hard-core issues. The pending draft rules of procedure of the Assembly relating to these issues are the following: financial and budgetary matters - rule 104 (Proposed annual budget); rule 106 (Contributions); decision-making - rule 71 (Decisions on questions of substance); rule 72 (Decisions on amendments to proposals relating to questions of substance); rule 107 (Method of amendment); elections - rule 28 (Elections); rule 83, paragraph 3 (Restricted balloting for one elective place); rule 94 (Nominations); rule 95 (Order of elections); rule 100 (Elections); observers - rule 93, paragraphs 2-6 (Observers); subsidiary organs - rule 87 (Composition).

81. The final text of the draft rules of procedure of the Council is contained in document LOS/PCN/WP.26/Rev.3.

82. As in the case of the Assembly, a number of the draft rules of procedure of the Council were approved on condition that the Chairman would include agreed statements in his report in connection with such rules.

83. With regard to rule 7 concerning notification of observers, it was noted in the Chairman's report that although the rule was approved, the ultimate decision on it was contingent upon the final text of rule 93 (on observers) of the draft rules of procedure of the Assembly, which was left pending (LOS/PCN/L.54, para. 11).

84. Rule 16 on the composition of delegations was adopted on the understanding that the Council had no authority regarding the composition of delegations and that its functions were confined to the examination of their credentials (ibid., para. 12).

85. In connection with paragraph 2 of rule 22 concerning elections, it was pointed out that the principle of rotation among the regional groups for the presidency of the Assembly, the Council, the Legal and Technical Commission, the Economic Planning Commission and the Finance Committee should receive due consideration in the future (ibid., para. 14).

86. In the draft rules of procedure of the Council, the following rules relating to the hard-core issues were left pending: financial and budgetary matters - rule 31 (Submission of the annual budget); rule 34 (Estimate of expenditures); rule 81 (Finance Committee); decision-making - rule 53 (Decisions requiring two-thirds majority); rule 54 (Decisions requiring three-fourths majority); rule 58 (Procedures for reaching a consensus); rule 70 (Approval of plans of work submitted by applicants other than the Enterprise); rule 71 (Approval of plans of work submitted by the Enterprise); rule 92 (Method of amendment); elections - rule 75 (Equitable geographical distribution and the representation of special interests); observers - rule 73 (Participation by observers); subsidiary organs - rule 83 (Composition).

87. The final text of the draft rules of procedure of the Legal and Technical Commission is contained in document LOS/PCN/WP.31/Rev.3.

88. Some of the rules were approved subject to the following understandings.

89. Although rule 4 concerning notification on the sessions of the Commission was adopted, it was acknowledged that since the rule contained reference to observers, its text could be reviewed again once the issue of observers in general in the rules of procedure of the organs of the Authority was finalized (LOS/PCN/L.62, para. 17).

90. Draft rule 10 dealing with compatible activities and confidentiality was adopted on the understanding that the issue of confidentiality and liability would be addressed at an appropriate time in the future in the general context of all organs of the Authority and the Tribunal for the Law of the Sea (ibid., para. 11).

91. Draft rule 22 concerning estimate of expenditures was adopted on the understanding that the question about the need to spell out in this rule that the reference to financial implications included, where appropriate, financial obligations, would be addressed when the relevant rules of procedure of the Council were considered (ibid., para. 18).

92. With reference to rule 43 concerning recommendations to the Council, it was decided that the text of the rule could be reviewed in the future, if required, in the light of the further discussions on the hard-core issue of decision-making (ibid., para. 12).

93. The following draft rules of procedure of the Legal and Technical Commission were left pending due to their relation to the hard-core issues: decision-making - rule 38 (Reconsideration of the proposals); rule 41 (Decisions on questions of substance); elections - rule 14 (Election of Chairman and the Bureau); observers - rule 56 (Participation by observers).

94. The final text of the draft rules of procedure of the Economic Planning Commission is contained in document LOS/PCN/WP.36/Rev.2.

95. The following draft rules were adopted subject to the understandings recorded in the Chairman's report.

96. Draft rule 10 on incompatible activities and confidentiality, the text of which is identical to a similar rule in the draft rules of procedure of the Legal and Technical Commission was also approved on the understanding that at an appropriate time in the future the issue of confidentiality would be studied in the general context of all organs of the Authority and the International Tribunal for the Law of the Sea (LOS/PCN/L.67/Rev.1, para. 7).

97. With regard to rule 16 on the Acting Chairman, it was pointed out in the Chairman's report that there would be a need for the fair distribution of posts among regional groups in all organs of the Authority (ibid., para. 14).

98. Draft rule 22 concerning estimate of expenditures, which follows the text of a similar rule 22 in the draft rules of procedure of the Legal and Technical Commission, was also adopted on the understanding that the concern expressing the need to spell out in such a rule that the reference to financial implications included, where appropriate, the financial obligations of States, would be addressed when the relevant rules of procedure of the Council were considered (ibid., para. 15).

99. The following rules were left pending in the draft rules of procedure of the Economic Planning Commission because of their relation to the hard-core issues: decision-making - rule 38 (Reconsideration of proposals); rule 41 (Decisions on questions of substance); elections - rule 14 (Election of Chairman and the Bureau); observers - rule 55 (Participation by observers). Throughout the work of the Preparatory Commission, the delegation of Japan has taken the position that in order to increase the cost-effectiveness of the Authority the number of languages used by its organs should be reduced to the extent possible. Therefore, although the delegation of Japan did not oppose the adoption of the rules stating that the languages of the organs of the Authority would be the six

official languages of the Convention on the Law of the Sea, it reserved its position with regard to these rules, namely, rule 44 (Assembly); rule 85 (Council); rules 57 and 58 (Legal and Technical Commission); rules 56 and 57 (Economic Planning Commission).

100. As far as the hard-core issues are concerned, it turned out that some of them would probably be easier to resolve than the others. The Plenary on the Authority was, for example, rather close to resolving the issue of subsidiary organs.

101. When the Plenary on the Authority started the examination of the issue of subsidiary organs, there were four approaches to it among the delegates.

102. First, the position was taken that the Assembly should have main committees following the normal structure of any large international organization. It was suggested that the organization of the Preparatory Commission could be the model of the future Assembly.

103. Those who supported the second position argued that there was no need for the Assembly to have main committees. The structure of other organizations should not be blindly followed, and the structure of the United Nations should not necessarily be taken as a model.

104. It was observed that the United Nations was a global body dealing with a wide range of global issues: issues of a political nature, security issues, economic issues, social and cultural issues. As a consequence the United Nations must possess Main Committees because one Assembly could not deal with all of those issues. It was noted that the structure of the Preparatory Commission was not a good example either, inasmuch as once the Authority began to function some of the functions of the Preparatory Commission would become functions of organs other than the Assembly.

105. According to a third point of view, it was too early to take a position on whether or not the Assembly would have main committees. The Preparatory Commission should wait until it completed its work and until the structure of the Authority and its functions were clearly defined. It was only at that stage that the Preparatory Commission would be in a position to assess whether the Assembly would need main committees.

106. Under the fourth viewpoint, some delegates argued that there was no need for the Preparatory Commission to make recommendations on the matter. The Commission should leave the decision on the question as to whether there should be main committees to the Assembly of the Authority (LOS/PCN/L.19).

107. The Chairman conducted several rounds of consultations on the above issue. Finally, a compromise was achieved. It was agreed, at the suggestion of the Chairman, that the Preparatory Commission would not make any recommendations to the Authority with regard to the establishment of subsidiary organs of the Assembly. The only exception could be the Finance Committee, if the Preparatory Commission decided to recommend it as a joint subsidiary organ of the Assembly and the Council. Therefore, it would be left to the Assembly to decide in the

light of its needs and the particular circumstances what subsidiary organs it might wish to establish.

108. In connection with the above understanding, it was noted in the Chairman's report that although the Preparatory Commission should make necessary recommendations to the Authority to ensure its proper functioning, there was a general concern with respect to the financial implications involved in recommending a heavy structure for the Authority at the initial stage of its operation. It was also pointed out that it would be difficult for the Preparatory Commission to foresee the types of subsidiary organs that the Assembly might require to perform its functions at the different stages of its activities.

109. It was also pointed out in the Chairman's report that one delegation held the view that by taking this decision the Preparatory Commission was in effect abdicating its responsibilities. It was stated that it would not be realistic to believe that the Assembly, sitting in plenary meetings, would be able to deal effectively with its agenda.

110. As a result of the adoption of the above understanding, the Plenary could approve rules 86, 88 and 89 in the draft rules of procedure of the Assembly and rules 82 and 84 in the draft rules of procedure of the Council, which relate to subsidiary organs (LOS/PCN/L.82, paras. 35-40). Thus the only pending rules on subsidiary organs are rule 87 (Assembly) and rule 83 (Council) entitled "Composition". These rules were not approved because of their relation to the unresolved question of the composition of the Finance Committee.

111. There were two categories of problems with regard to the question of observers. On the one hand, some delegates took the position according to which States which were signatories to the Convention should be accorded the right of full participation in the work of the Assembly but would not be able to participate in decision-making. On the other hand, some other delegates held the view that no distinction should be made between States signatories and States which did not sign the Convention, and that all States should be able to participate fully in the work of the Assembly.

112. During the consultations undertaken by the Chairman two further suggestions were made. First, it was pointed out that national liberation movements should enjoy a higher status than was accorded them in the proposed draft rules of procedure of the Assembly. Secondly, it was suggested that international organizations which were subjects of international law should also have a higher status than had been accorded to them in that draft.

113. In all cases, whether these were States signatories, all States, national liberation movements or international organizations which were subjects of international law, the main argument rested on the fact that the Convention, particularly Part XI, was intended to be of universal application, and giving a meaningful role to States and other entities already mentioned would encourage this universal participation and thus would reflect the spirit of Part XI, which itself embodied the principle of the common heritage of mankind.

114. It was also argued in support of the first position mentioned above that signatory States had already given an indication of their intent to ratify, or at least had accepted the principles of, the Convention and it was likely that they would ratify and become members. On the other hand, those supporting the second position contended that after the closing of the signing period States were on an equal footing and were all eligible to become Parties, and it did not really matter whether they had signed the Convention or not, because a State which had not signed the Convention might accede to it even before a State which had signed it. Thus the distinction between signatories or non-signatories became unimportant.

115. At the same time, the Chairman's consultation revealed that there was broad agreement on the need to make efforts in order to promote the universal character of the Convention, and for that reason there was broad agreement that observers should be accorded meaningful participation. There were, however, different approaches to the other elements of that problem.

116. There were those who argued that giving the right of full participation to observer States would not induce non-parties to think favourably of ratifying or acceding to the Convention, and the more States which ratified or acceded, the more viable the Authority was going to be. If it were ratified by only a few States the financial burden alone would discourage States from ratifying. The counterview was that if full rights were accorded to States which were not Parties, there would be no incentive for them to ratify or accede to the Convention. Those who held this view recognized that a distinction was made in the sense that non-parties would not participate in decision-making, but they argued that this was not a meaningful distinction. The history of the Conference created a tradition whereby decisions would be reached by consensus - at least most of the important decisions would be reached by consensus - and it was probable that the Authority would maintain that policy, so that a distinction based on decision-making had no real meaning.

117. Many argued that they were not concerned with a distinction between signatories, non-signatories, national liberation movements and international organizations. To them that was a minor point. They said the real problem was to make a distinction between the Parties to the Convention and non-parties, and that Parties to the Convention should have a higher status than observers.

118. There were certain cases where observers should be completely excluded. For example, it was pointed out that the Assembly had two functions. The first related to policy-making. Supporters of this view had no objection to the participation of observers when the Authority was engaged in such functions. The second related to the administrative and executive functions of the Authority, and it was their position that non-members should not participate in functions that were of an executive or of an administrative nature. They admitted that sometimes it was difficult to make a distinction between what was a policy-making function and what was an executive or administrative function, but still the distinction should be made. In short, their position was that a clear distinction should be made between the roles played by members and observers in the deliberations of the Assembly (LOS/PCN/L.19).

119. The Plenary on the Authority had to deal with two main issues. First, it had to decide which observers were going to be accorded a higher status, and secondly it had to define the meaning of "meaningful participation", since as stated above there was broad agreement on according meaningful participation to observers.

120. At the consultations undertaken by the Chairman with a view to resolving the issue of observers, he outlined two types of questions that needed to be addressed. The first concerned the entities which would be granted observer status, and the second related to the extent and nature of the participation of observers in the work of the Assembly and the Council.

121. With regard to the first question, progress was made at the consultations, and as a result the Plenary on the Authority agreed on the list of entities to be granted the status of observers and approved paragraph 1 of rule 93 of the draft rules of procedure of the Assembly containing such a list (LOS/PCN/L.82, paras. 41 and 42).

122. As far as the nature and the extent of observer participation in the work of the Assembly and the Council were concerned, the consultations proved that it would be difficult to narrow the gap between various positions. There was, however, a perception among participants in the consultations that the issue of the status of observers should not be dealt with in a manner which could be construed as a disincentive for States to ratify or accede to the Convention. There was also broad agreement on the need to make efforts to promote the universal character of the Convention on the Law of the Sea (ibid., para. 43).

123. A proposal on the establishment of the Finance Committee was originally included in the draft rules of procedure of the Council in the light of the provisions contained in article 162, paragraphs 2 (0) (i) and 2 (y), of the Convention. In the final text of the rules of procedure of the Council, draft rule 81 on the Finance Committee remains among the pending issues. In addition to that rule, at the session of the Preparatory Commission, held in March 1988, the Secretariat was asked to prepare a separate working paper on the Finance Committee, covering in detail all aspects of its future activities. The working paper on the Finance Committee, which was considered mainly at the level of consultations conducted by the Chairman with interested delegations, was subsequently revised twice in the light of those consultations. The final text of the working paper on the Finance Committee, reflecting the results of the above-mentioned consultations as approved by the Plenary, is contained in document LOS/PCN/WP.45/Rev.2.

124. With the exception of two sections relating to elections of the members of the Finance Committee and decision-making, the Plenary on the Authority approved all other sections of that paper.

125. The working paper provides that the Finance Committee should be established as a subsidiary organ of both the Assembly and the Council.

126. With regard to the composition of the Finance Committee, it was understood that although the Preparatory Commission would recommend that the Finance Committee be composed of 15 members, the Authority would of course be free to

decide otherwise or to change that number at any given time in the future (LOS/PCN/L.97, para. 23).

127. With regard to the section on elections of the members of the Committee, in the course of the discussions the following three criteria were identified by various delegations: representation of special interests; equitable geographical representation; and representation of highest contributors. After quite a lengthy debate on these criteria, the Chairman summarized the discussion by stating that there was a general agreement on the first two criteria (ibid., para. 24). It should be noted, however, that several delegations during the discussion expressed the view that in future deliberations a precise meaning for the criterion of "representation of special interests" should be sought (LOS/PCN/L.72, para. 16).

128. Reference to the representation in the Finance Committee of States with the highest contributions to the administrative budget of the Authority proved to be the most controversial provision. A majority of delegates spoke against its retention, emphasizing the lack of any legal basis in the Convention on the Law of the Sea for such a reference. Other delegates took the position that since the States with the highest contributions would bear the main burden of expenses of the Authority, they should have a legitimate right to a substantial representation on the Finance Committee. In their view such a level of representation should remain until the Authority became self-sufficient (ibid., para. 17).

129. On the issue of decision-making, the general view was that the Finance Committee, as an advisory organ, should be as efficient as possible. Therefore no attempt should be made to insert in its rules provisions that could paralyse the work of the Finance Committee in the future. In this regard attention was drawn to the experience of the relevant United Nations organs which might be helpful in seeking proper procedures for the Finance Committee. In summing up the debate, it was indicated that by capitalizing on the experience of these organs the idea of consensus by default could be studied. In practice that would mean that there would be no rule on consensus, but in case of disagreement the Finance Committee would be required to submit a report on the views expressed.

130. During the debate a trend emerged to link decision-making procedures to particular functions. It was pointed out by some delegations that some functions might require decisions by consensus, while for others a three-fourths or a two-thirds majority would be appropriate. It appeared also from the discussion that some delegations held the view that certain functions should result in the submission of recommendations by the Finance Committee, while other functions might envisage the submission of reports and studies (ibid., paras. 22 and 23).

131. Some of the members of the Commission pointed out that it would be difficult to take a final position on decision-making without first deciding on the representation of various groups of States on the Finance Committee. These members held the view that the issue of the relationship between the Finance Committee on the one hand and the Assembly and the Council on the other and, in

this regard, the question of the value of the recommendations of the Finance Committee, would require further consideration.

132. Other members of the Commission were convinced that in approaching the issue of decision-making, the character of the Finance Committee, as an expert body, should be kept in mind. In this connection, they referred to precedents of decision-making procedures in similar bodies of the organizations of the United Nations system and stressed that the Authority should capitalize on such successful experience. Some delegations noted that although the composition of the Finance Committee was an important matter it should not have a decisive effect on decision-making because the Finance Committee was an expert body and its members acted in their personal capacity and not as representatives of member States (LOS/PCN/L.102, paras. 38 and 39).

133. As far as the staff regulations and the financial regulations are concerned, the Plenary on the Authority did not consider these matters. The only document circulated in this regard was the 1983 Secretariat working paper entitled "Suggested Tables of Contents for the Preparation of Draft Rules, Regulations and Procedures by the Preparatory Commission" (LOS/PCN/WP.14) which contained, among other suggestions, an outline of staff rules and regulations.

134. With regard to elections to the organs of the Authority the main differences of views may be summarized as follows:

(a) Many delegations expressed the view that elections to the organs of the Authority should be treated as a matter of procedure requiring a simple majority consistent with the practice in the United Nations system and other international organizations; that the Convention was careful to provide the categories to be classified as substance and elections were not included in these categories. In any event the Convention provided that if a question arises as to whether a matter was a matter of substance or procedure the question would be treated as one of substance unless otherwise decided by the majority required for decision of election.

Other delegations contended that elections were a matter of substance and should be decided by a two-thirds majority. Some delegations maintained that certain positions, such as the President of the Council, were of such importance that it was necessary to demonstrate that these office holders were supported not merely by a simple majority.

(b) Another matter discussed centred around elections to the Council.

Some delegations proposed that the elections should ensure that the eight largest contributors to the Administrative Budget of the Authority were elected to the Council.

Many delegations argued that such a proposal would be inconsistent with the provisions of the Convention which struck a fine balance between representation for special interests and equitable geographical representation.

(c) Governing Board of the Enterprise

A similar proposal was made in respect of the Governing Board of the Enterprise by providing that due regard should be paid to equitable geographical distribution as well as expertise in financial fields, particularly those relevant to deep seabed mining, in such a way that eight of the members of the Governing Board shall be elected, from among candidates proposed by the eight States Parties which account for the largest proportions of the sums initially made available for payment or guarantee to the Enterprise.

Many delegations were opposed to this proposal, contending that the Enterprise was an embodiment of the common heritage of mankind and that the proposal would not only be inconsistent with the Convention but give a disproportionate representation to some countries.

135. Despite intensive consultations undertaken by the Chairman with the interested delegations on the hard-core issues of financial and budgetary matters, decision-making and elections, no substantial progress could be achieved on these issues.

136. In the course of the consultations held during the sessions of the Preparatory Commission on the hard-core issues, different views were espoused by delegations. These are to be found in the different Statements of the Chairman of the Preparatory Commission on the work of the sessions during which they were discussed.

137. It was felt that, notwithstanding the exhaustive discussions held on the hard-core issues, no solutions could be reached on these issues at this stage, until the practical difficulties of Part XI were to be addressed.

138. The Chairman of the Preparatory Commission summed up the discussion on these hard-core issues by stating that further consideration would be given to them at an appropriate time. An exhaustive list of these issues is annexed to the present report as pending issues.

2. Preparation of draft agreements concerning the relationship of the Authority with the United Nations, the host country and the Parties to the Convention on the Law of the Sea

139. In the discharge of this assignment the Plenary on the Authority has considered and decided to recommend to the Authority the texts of the draft Agreement between the International Seabed Authority and the Government of Jamaica regarding the Headquarters of the International Seabed Authority, the draft Protocol on the Privileges and Immunities of the International Seabed Authority and the draft Agreement concerning the Relationship between the United Nations and the International Seabed Authority. Some of the provisions of these agreements were approved with additional clarifications included in the respective reports of the Chairman on the work of the Plenary.

140. The draft Agreement between the International Seabed Authority and the Government of Jamaica regarding the Headquarters of the International Seabed Authority is contained in document LOS/PCN/WP.47/Rev.2. It was approved with the following clarifications.

141. With regard to paragraph 7 of article 4 concerning law and authority in the Headquarters, it was noted that a suggestion was made to include the words "or in the rules of the Authority". These words were not incorporated into the text of this paragraph because it was understood that the approval of plans of work and contractual arrangements falling under the Mining Code would be regulated by the United Nations Convention on the Law of the Sea (LOS/PCN/L.87, para. 16).

142. Draft article 30 on the assistance which should be provided by the host Government to States Parties and observers in obtaining suitable premises was not included in the text of the Agreement on the understanding that the Government of Jamaica would do its best to assist missions and their members, in accordance with the established international practice, of obtaining suitable premises and accommodations (ibid., para. 19).

143. Article 48 concerning security matters was approved on the understanding that it should be seen as reflecting the need for giving certain flexibility to the Government of Jamaica in taking security measures. It was agreed that the article implied that whenever any measures were to be taken there should be consultations between the Authority and the Government of Jamaica with regard to such measures (ibid., para. 17).

144. In connection with article 55 concerning the relationship between the Agreement and the Protocol, it was agreed to retain it in the text of the Agreement, on the understanding that, for the purposes of the article, any supplementary agreements concluded in accordance with article 56 would be part and parcel of the Headquarters Agreement (LOS/PCN/L.102, para. 14).

145. The draft Protocol on the Privileges and Immunities of the International Seabed Authority is contained in document LOS/PCN/WP.49/Rev.2.

146. The Plenary on the Authority approved the following clarifications with regard to some of the articles in the text of the Protocol.

147. In article 17 on privileges and immunities of the representatives of member States and of observer States, paragraph 4 was approved on the understanding that under its provisions a State was not prohibited from providing its nationals the privileges and immunities referred to in paragraphs 1 and 2 of the same article.

148. Article 21, subparagraph 1 (f), concerning exemption of experts employed by the Authority from immigration restrictions, alien registration requirements and national service obligations, was approved on the understanding that the exemption did not apply in the case of the country of origin of the expert (ibid., para. 16).

149. The draft Agreement concerning the Relationship between the United Nations and the International Seabed Authority is contained in document LOS/PCN/WP.50/Rev.3.

150. The following clarifications with regard to some articles of that Agreement were agreed upon and recorded in the reports of the Chairman.

151. The Plenary decided that there was no need for a separate article on cooperation in the field of public information as had been originally suggested because with the addition of the words "in the field of public information" to the provisions of paragraph 1 of article 3 such cooperation would be covered by the general provisions of that article (ibid., para. 6).

152. In approving article 19 on the possible use by the Authority of the United Nations laissez-passer, the Plenary on the Authority took note of the reservations expressed in this regard by the delegation of Japan which was of the view that the practice of the use of the United Nations laissez-passer by other international organizations should be limited to specialized agencies (LOS/PCN/L.97, para. 7).

3. Submission of recommendations concerning administrative arrangements of the Authority, its initial financial and secretariat requirements, as well as staff and financial regulations of the Authority

153. Owing to the very nature of the administrative and financial arrangements, their consideration was initiated in the Plenary on the Authority relatively late, since it would not have been possible to identify earlier with sufficient precision the initial requirements of the Authority in this field. The first and only paper submitted on this subject-matter was presented at the session of the Preparatory Commission held in August 1990 in New York. It was entitled "Administrative arrangements, structure and financial implications of the International Seabed Authority" (LOS/PCN/WP.51) and was aimed mainly at facilitating the exchange of views between members of the Preparatory Commission. That document is contained in document LOS/PCN/WP.51.

154. The outcome of the discussions of the Plenary on the Authority on the above paper was reflected in the Chairman's reports. According to those reports, it appeared from the debate that there was general agreement that the Authority should be both efficient and cost-effective and that its size and structure should meet the needs of the Authority during the initial period of its activities. Therefore, it was suggested during the debate that the structure of the secretariat of the Authority should reflect the concerns for efficiency and cost-effectiveness, taking into account the functions that the Authority will be called upon to perform in the initial stages. It was understood that whatever approach was eventually chosen to achieve those goals, it should preserve the autonomous nature of the Authority. The members of the Plenary on the Authority agreed that details of those general principles should be worked out at an appropriate time in the future and that at that time due consideration would be given to each of the principles.

Annex

PENDING ISSUES BEFORE THE PLENARY ON THE AUTHORITY

- Provisions in the rules of procedure of the Authority relating to financial and budgetary matters:

  Assembly - rule 104 (Proposed annual budget); rule 106 (Contributions).

  Council - rule 31 (Submission of the annual budget); rule 34 (Estimate of expenditures); rule 81 (Finance Committee).

- Provisions in the rules of procedure of the Authority relating to decision-making:

  Assembly - rule 71 (Decisions on the questions of substance); rule 72 (Decisions on amendments to proposals relating to questions of substance); rule 107 (Method of amendment).

  Council - rule 53 (Decisions requiring two-thirds majority); rule 54 (Decisions requiring three-fourths majority); rule 58 (Procedures for reaching a consensus); rule 70 (Approval of plans of work submitted by applicants other than the Enterprise); rule 71 (Approval of plans of work submitted by the Enterprise); rule 92 (Method of amendment).

  Legal and Technical Commission - rule 38 (Reconsideration of the proposals); rule 41 (Decisions on questions of substance).

  Economic Planning Commission - rule 38 (Reconsideration of proposals); rule 41 (Decisions on questions of substance).

  Finance Committee - section on decision-making.

- Provisions in the rules of procedure of the organs of the Authority relating to elections:

  Assembly - rule 28 (Elections); rule 83, paragraph 3 (Restricted balloting for one elective place); rule 94 (Nominations); rule 95 (Order of elections); rule 100 (Elections).

  Council - rule 75 (Equitable geographical distribution and the representation of special interests).

  Legal and Technical Commission - rule 14 (Election of Chairman and the Bureau).

  Economic Planning Commission - rule 14 (Election of Chairman and the Bureau).

  Finance Committee - section on elections.

- Provisions in the rules of procedure of the organs of the Authority relating to the issue of observers:

  Assembly - rule 93, paragraphs 2-6 (Observers).

  Council - rule 73 (Participation by observers).

  Legal and Technical Commission - rule 56 (Participation by observers).

  Economic Planning Commission - rule 55 (Participation by observers).

- Provisions in the rules of procedure of the organs of the Authority relating to subsidiary organs:

  Assembly - rule 87 (Composition).

  Council - rule 83 (Composition).

- Preparation of detailed recommendations concerning administrative arrangements of the Authority, its initial financial and secretariat requirements, as well as staff and financial regulations of the Authority.

Notes

1/ On 25 November 1992, the Federal Assembly of the Czech and Slovak Federal Republic adopted Constitutional Law No. 542, which terminated the existence of the Czech and Slovak Federal Republic; the law came into force on 31 December 1992. The legal successors to the Czech and Slovak Federal Republic are two sovereign States: the Czech Republic and Slovakia. The Czech Republic and Slovakia were both admitted to membership in the United Nations on 19 January 1993.

UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

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8 April 1983

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
First session
Kingston, Jamaica
15 March to 8 April 1983

STATEMENT BY THE ACTING CHAIRMAN OF THE PREPARATORY COMMISSION

Following very detailed consultations with all the regional groups, I am in a position to state that the Preparatory Commission is ready to elect its Chairman by acclamation and simultaneously endorse a consensus statement of understanding on the structure of the Preparatory Commission, the composition of its General Committee and the bureaux of all its organs, the allocation of the functions to its organs and the specific posts in the bureaux and the taking of decisions. This consensus statement of understanding will constitute the basic framework within which the rules of procedure will be adopted and the Preparatory Commission will organize its work.

It is the understanding that further elaboration of this basic framework will be taken up as the first item of business at the resumed session of the Preparatory Commission and that substantive work will not begin until these matters are resolved by consensus. It is also the understanding that the elaboration of this basic framework should be completed by the end of the second week of the resumed session.

Consensus statement of understanding

The consensus statement of understanding referred to is as follows:

1. The structure of the Preparatory Commission should consist of the Plenary, as the principal organ, and Special Commissions enjoying equal status. The

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Special Commissions shall be open to all signatories in accordance with paragraph 2 of resolution I. The Special Commissions will report to the Plenary.

2. The Special Commissions and the Plenary will deal with the following matters, as allocated:

(1) The rules, regulations and procedures on administrative financial and budgetary matters pertaining to the various organs of the Authority (para. 5 (g) of resolution I).

(2) The measures necessary for the early entry into effective operation of the Enterprise (para. 8 of resolution I).

(3) The problems which would be encountered by developing land-based producer States likely to be most seriously affected by the production of minerals derived from the Area (paras. 5 (i) and 9 of resolution I).

(4) The rules, regulations and procedures for the exploration and exploitation of the Area (Annex III and other related provisions of the Convention).

(5) The implementation of resolution II governing preparatory investment in pioneer activities relating to polymetallic nodules.

(6) The practical arrangements for the establishment of the International Tribunal for the Law of the Sea (para. 10 of resolution I).

3. The Plenary, in addition to the matters specifically allocated to it, will also deal with any other residual functions not specifically allocated. The Plenary will deal with the examination and adoption of the reports of the Special Commissions.

4. When adopting its rules of procedure as provided for in paragraph 4 of resolution I, the Preparatory Commission shall ensure that all decisions which in the Convention require consensus, including decisions requiring consensus under articles 160.2 (e), 161 and 162 and Annex IV, article 11 (3), shall also require consensus in the Preparatory Commission. This does not preclude the possibility of the Preparatory Commission deciding that other matters of substance may also be decided by consensus.

5. The Preparatory Commission will adopt, by consensus, the rules and procedures for the implementation of resolution II and the establishment of adequate machinery to administer the régime for the protection of pioneer investors.

6. The bureaux of all the organs of the Preparatory Commission shall be established with due regard to the practice in the United Nations General Assembly and the Third United Nations Conference on the Law of the Sea and the need for each regional group to be represented in all the bureaux of all the organs of the Preparatory Commission by at least one member. The General Committee shall consist of the

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Chairman of the Preparatory Commission and the other members of the Bureau of the Plenary as well as all the members of the Bureaux of the Special Commissions, elected on the basis of equitable geographical representation.

7. It is also understood that this consensus statement of understanding is without prejudice to the allocation of functions to the different organs of the Preparatory Commission and the specific posts in the bureaux of the plenary and the special commissions, all of which shall be subject matters to be negotiated and agreed upon by all the regional groups taking into account the views expressed by all the regional groups on these subjects.

UNITED NATIONS

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Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea
Resumed first session
Kingston, Jamaica
15 August-9 September 1983

SUGGESTIONS BY THE CHAIRMAN ADOPTED AT THE 5th PLENARY MEETING OF THE COMMISSION ON 8 SEPTEMBER 1983

1. At its 5th plenary meeting on 8 September 1983, the Preparatory Commission adopted the following suggestions by the Chairman:

(a) Structure of the Preparatory Commission, functions of the organs and bodies of the Preparatory Commission, officers and venue (annex I);

(b) Procedures and guidelines for registration of pioneer investors under resolution II (annex II);

(c) Rules of procedure on decision-making (annex III).

2. Before these suggestions were adopted, the Chairman made the following statement:

It is the understanding of the Preparatory Commission that, consistent with the mandate contained in resolution II relating to pioneer investment, the elaboration and adoption of rules, regulations and procedures for the implementation of resolution II shall be considered as a matter of high priority by the Preparatory Commission at its next session.

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ANNEX I

I. STRUCTURE OF THE PREPARATORY COMMISSION

1. The Preparatory Commission shall consist of the Plenary as the principal organ and shall establish as its main organs the following Special Commissions of equal status:

   (a) a Special Commission on the problems that could be encountered by developing land-based producer States likely to be most seriously affected by the production of minerals derived from the Area; this Commission will be entrusted with the functions referred to in paragraphs 5 (i) and 9 of resolution I;

   (b) a Special Commission for the Enterprise for the adopti of all measures necessary for the early entry into effective operation of the Enterprise; this Commission will be entrusted with the functions referred to in paragraph 8 of resolution I and paragraph 12 of resolution II;

   (c) a Special Commission for the preparation of rules, regulations and procedures for the exploration and exploitation of the Area (sea-bed mining code) [resolution I, paragraph 5 (g)];

   (d) a Special Commission for the Tribunal to prepare recommendations regarding practical arrangements for the establishment of the International Tribunal for the Law of the Sea [resolution I, paragraph 10];

2. The Preparatory Commission may establish such other subsidiary bodies as necessary for the effective exercise of its functions, and shall determine their composition and competence.

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II. FUNCTIONS OF THE PREPARATORY COMMISSION IN PLENARY

(a) The preparation of rules, regulations and procedures on the administrative, financial and budgetary matters pertaining to the various organs of the Authority [paragraph 5 (g) of resolution I];

(b) the implementation of resolution II governing preparatory investment in pioneer activities relating to polymetallic nodules [paragraph 5 (h) of resolution I];

(c) the preparation, consideration and adoption of the final report referred to in paragraph 11 of resolution I incorporating therein the results of deliberations, on all matters within its exclusive competence and on all matters within the competence of its Special Commissions and other subsidiary bodies as contained in the reports submitted to it by them for the presentation of the final report by the Chairman to the first session of the Assembly of the International Sea-Bed Authority;

(d) the general conduct of business; the co-ordination of work of the organs and subsidiary bodies; and upon the recommendation of the General Committee, all questions of organization of work;

(e) the presentation of the report of the Preparatory Commission through its Chairman on the arrangements for the establishment of the International Tribunal for the Law of the Sea to the meeting of States Parties convened for the purpose;

(f) all matters not specifically assigned to the Special Commissions or other subsidiary bodies.

III. FUNCTIONS OF THE ORGANS AND BODIES OF THE PREPARATORY COMMISSI:

1. The General Committee shall act on behalf of the Preparatory Commission as the executive organ for the administration of resolution II.

2. The General Committee shall be the organ responsible for making recommendations to the Plenary on all questions of organization of work.

3. The Special Commissions shall be entrusted with the functions described under item I, 1(a) through (d) above.

4. The functions of any other subsidiary body shall be defined by the Commission upon its establishment.

IV. OFFICERS

(a) The Preparatory Commission shall elect a Chairman, 14 Vice-Chairmen and a Rapporteur-General as well as a Chairman and four (4) Vice-Chairmen of each Special Commission, and such other officers as it may decide, from among the representatives of members;

(b) In the election of officers, due regard shall be taken of the practice of the United Nations General Assembly and of the Third United Nations Conference on the Law of the Sea so that each regional group is represented by at least one of its members in each of the organs and that there is an equitable geographical distribution in the membership of the General Committee to ensure its representative character;

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(c) (i) There shall be a General Committee consisting of the Chairmen and the other officers of the Plena and of the Special Commissions. The Chairman of the Preparatory Commission or, in his absence, a Vice-Chairman designated by him, shall serve as Chairman of the General Committee;

(ii) If the Chairman or any other member of the General Committee finds it necessary to be absent during a meeting of the General Committee he may designate a member of his delegation to sit and vote in the Committee.

V. VENUE

1. There shall be one regular session of the Preparatory Commission a year which shall be held at the seat of the Authority and shall last for a period of four (4) weeks. There shall also be one session of the Working Groups [Plenary, Special Commissions and the subsidiary bodies] of the Preparatory Commission a year which shall also last for a period of four (4) weeks. The Preparatory Commission shall decide whether the Working Groups will meet in Kingston, New York or Geneva.

2. In 1984 the Preparatory Commission will hold its regular session in Kingston during spring and a session for the Working Groups in New York or Geneva during summer. The venue for the latter will be determined at the meeting of the Preparatory Commission.

3. The Preparatory Commission may at any time decide to hold an additional session for itself or for its Working Groups to hold additional meetings.

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ANNEX II

PROCEDURES AND GUIDELINES FOR REGISTRATION OF PIONEER INVESTORS UNDER RESOLUTION II

APPLICATION FOR REGISTRATION AS A PIONEER INVESTOR

A. Submission of the Application

The application shall be addressed to the Chairman of the Preparatory Commission and submitted to the Secretary-General by a certifying State or its designated Authority in writing in one of the official languages of the United Nations.

B. Recording of the application

The Secretary-General shall:

(a) record the application
(b) acknowledge the receip of the application

C. Communication of the recording

The Secretary-General shall circulate the particulars recorded to participants of the Preparatory Commission.

D. Transmission of the application for examination

The Secretary-General shall promptly notify the Chairman of the Preparatory Commission of the receipt of the application. Within 15 days of the receipt of the application, the Chairman will convene the General Committee to examine the application.

[The following rules will apply to stages B, C and D above pending the adoption of rules of procedure:

1. Pending the adoption of the rules of procedure for the consideration and registration of applications of pioneer investors under resolution II of the Third United Nations Conference on the Law of the Sea, applications for registration submitted to the Preparatory Commission shall be recorded by the Secretary-General or his Special Representative

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upon receipt. The particulars recorded shall contain the date of receipt of the application and a list of any attachments or annexes thereto, the name of the certifying State, the date on which it has signed the Convention and the name of the entity making the application.

2. The Secretary-General or his Special Representative shall place the application and the attachments and annexes thereto in safe custody until required by the Preparatory Commission and shall duly acknowledge receipt of the application. The Secretary-General or his Special Representative shall promptly notify the Chairman of the Preparatory Commission of the receipt of the application and circulate the particulars recorded to all participants of the Preparatory Commission. /7

CONTENT OF THE APPLICATION

A. The application shall contain the items listed below:

(a) identity of the applicant and its compliance with the relevant requirements:

If the applicant is identified under para. 1(a) (i)

- identification as to whether an applicant is a State, State enterpri or a natural or juridical person, it nationality or whether it is effectively controlled by the certifying State or its nationals;
- confirmation that the certifying State has signed the Convention;

If the applicant is identified under para. 1(a) (ii)

- indication as to whether the entity has the nationality of or is effectively controlled by one or more of the States mentioned;
- confirmation that the certifying State has signed the Convention;

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If the applicant is identified under para. 1(a) (iii)
- indication as to whether the applicant is a State, State enterprise or a natural or juridical person, its nationality or whether it is effectively controlled by a developing State or States;
- confirmation that the certifying State has signed the Convention;

(b) statement, in the appropriate case, confirming the exercise of effective control over the applicant by the certifying State;

(c) information on the location and its co-ordinates delimiting the application area
- location of the area through submission of geographical co-ordinates;
- calculation of the total size of the application area (not necessarily a single continuous area);
- division of the total application area into two parts of equal estimated commercial value;

(d) data used to determine commercial value of the application area, inter alia:
- testing in connection with prospecting;
- mapping: mapping of parameters such as sea-bed morphology, bathymetry, nodule population, etc.;
- density of polymetallic nodules;
- metal content or chemical analyses;

(e) assurances by the certifying State concerned as to the absence or the resolution of conflict concerning overlapping areas in accordance with paragraph 5(a) and (c);

(f) statement or certification, as appropriate, of the applicant's expenditures in compliance with the following requirements:

at least US$30 million (US dollars calculated in constant dollars relative to 1982) of which at least 10 percent has been expended in the location, survey and evaluation of the area referred to in paragraph 1(a):

- prior to 1 January 1983 in the case of an applicant under paragraph 1(a)(i) or paragraph 1(a)(ii), and prior to 1 January 1985 in the case of an applicant under paragraph 1(a)(iii)

Decisions will have to be made as to the form and the content of the statement or the certificate of expenditures of US$30 million.

B. Payment of US$250,000 (attention is drawn to Annex III, Article 13, paragraphs 12 and 13 relating to constant dollars at a given base year). Decisions will have to be made as to time, mode and disposition of payment.

III. EXAMINATION OF THE APPLICATION

A. The content of the application shall be examined by the General Committee.

B. A technical body will be established to assist the General Committee in the examination of the application.

C. If an application is found not to be in conformity with applicable rules, the prospective certifying State concerned may submit additional information on the basis of which the application shall be reconsidered.

IV. ALLOCATION OF AREAS

Within 45 days of determination through this examination that data required by paragraph 3(a) have been received, the allocation will be made.

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V. CONFIDENTIALITY OF DATA AND INFORMATION

Rules and measures to ensure strict confidentiality of data and information involved in I - IV will have to be devised.

VI. REGISTRATION

Decisions will have to be made with regard to the form and content of the registration. The content shall include reference to the exclusive right to carry out pioneer activities by the pioneer investor in the pioneer area allocated to it, in accordance with paragraph 6, and to the compliance by the pioneer investor of its commitments under, inter alia, paragraphs 1(e), 7(b), 7(c) and 12 of resolution II.

A certificate of registration will be issued to the pioneer investor by the appropriate body.

Communication of the registration will be made to participants of the Preparatory Commission.

VII. COMPATIBILITY WITH THE CONVENTION

In accordance with paragraph 5(b) of resolution II, the certifying State shall ensure, before the entry into force of the Convention, that the pioneer activities are conducted in a manner compatible with the Convention.

ANNEX III

III. SESSIONS

Rule 9

Sessions

Subject to rule 31, sessions of the Preparatory Commission shall be held as decided by the Commission.

V. GENERAL COMMITTEE

Rule 13

Composition of the General Committee

1. The General Committee shall consist of the Chairman and other officers of the Preparatory Commission and of the Special Commissions. The Chairman of the Preparatory Commission, or in his absence a Vice-Chairman designated by him, shall serve as Chairman of the General Committee.

2. If the Chairman or any other member of the General Committee finds it necessary to be absent during a meeting of the General Committee, he may designate a member of his delegation to sit and vote in the Committee.

Rule 14

Functions of the General Committee

1. The General Committee shall assist the Chairman in the general conduct of the business of the Preparatory Commission and, subject to the decisions of the Commission, shall ensure the co-ordination of its work.

2. The General Committee shall meet periodically throughout each session to review the progress of the Preparatory Commission, the Special Commissions and the other subsidiary bodies and to make recommendations for furthering such progress. It shall also meet at such other times during a session as the Chairman deems necessary or upon the request of any other of its members.

3. The General Committee can act on behalf of the Preparatory Commission as the executive organ for the implementation of resolution II of the Third United Nations Conference on the Law of the Sea.

4. The General Committee shall perform such additional tasks as are provided for in these rules of procedure or as are assigned to it by the Preparatory Commission.

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Rule 15

Co-ordination by the General Committee

Questions affecting the co-ordination of their work may be referred by the Special Commissions and the other subsidiary bodies to the General Committee, which may make such arrangements as it sees fit, including the holding of joint meetings of Special Commissions or other subsidiary bodies and, where appropriate, proposing to the Preparatory Commission the establishment of joint subsidiary bodies.

Rule 31

Consideration of financial or administrative implications

Before the Preparatory Commission takes a decision or makes a recommendation the implementation of which might have financial or administrative implications for the United Nations, it shall receive and consider a report from the secretaria on such implications.

VII. DECISION-MAKING

Rule 32

Voting rights

Each member of the Preparatory Commission shall have one vote.

Rule 33

Meaning of the phrase "representatives present and voting"

For the purposes of these rules, the phrase "representatives present and voti means representatives of members present and casting an affirmative or negative vote; representatives of members who abstain from voting shall be considered as not voting.

Rule 34

Decisions on procedural questions

Except as otherwise specified in these rules, decisions of the Preparatory Commission on all matters of procedure shall be taken by a majority of the representatives present and voting.

If the question arises whether a matter is one of procedure or of substance, the Chairman shall rule on the question. An appeal against this ruling shall immediately be put to the vote and the Chairman's ruling shall stand unless the appeal is approved by a majority of the representatives present and voting.

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Rule 35

Decisions on substantive matters

Decisions on the following matters shall be taken by consensus in the Preparatory Commission:

(a) On all matters which require consensus under the United Nations Convention on the Law of the Sea, including the decisions requiring consensus under articles 160, paragraph 2 (e), 161 and 162, and annex IV, article 11, paragraph 3, of the Convention;

(b) On rules and procedures for the implementation of resolution II of the Third United Nations Conference on the Law of the Sea and for the establishment of adequate machinery to administer the régime for the protection of pioneer investors;

(c) On the rules and regulations relating to the exploration and exploitation of the Area;

(d) On the final report on all matters within the mandate of the Preparatory Commission for submission to the Assembly of the Authority and the report containing recommendations regarding practical arrangements for the establishment of the International Tribunal for the Law of the Sea for submission to the meeting of the States Parties to the Convention; provided that, in the final part of the period of one year commencing from the date of deposit of the sixtieth instrument of ratification of or accession to the Convention, the general rule of a two-thirds majority referred to in rule 36, subparagraph (a), shall apply for the approval of the reports referred to above, if it is not possible to reach consensus; the final report shall contain only information on the activities of the Preparatory Commission and as annexes to the report the texts of those decisions and recommendations which were approved by the Preparatory Commission in the course of its work;

(e) In cases where financial obligations which are not provided for in the approved budget of the United Nations are imposed on States;

(f) For the purposes of this rule, "consensus" means the absence of any formal objection.

Rule 36

Decisions on substantive matters not mentioned in rule 35

(a) Decisions of the Preparatory Commission on other matters of substance not mentioned in rule 35 shall be taken by a two-thirds majority of the representatives present and voting, provided that such a majority includes at least a majority of the members participating in that session of the Preparatory Commission.

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(b) Before a matter of substance is put to the vote every effort should be made to reach agreement by consensus and no voting shall take place until all efforts at consensus have been exhausted. The Chairman may defer a vote in order to allow for a cooling-off period of up to 72 hours.

(c) The determination that all efforts at reaching agreement by consensus have been exhausted shall be made by the majority specified in paragraph (a).

VIII. SPECIAL COMMISSIONS

Rule 44

Rules of procedure of the Special Commissions

These rules apply, mutatis mutandis, to the Special Commissions, except that:

(a) Decisions of the Special Commissions on all matters of procedure shall be taken by a majority of the representatives present and voting; and that

(b) Decisions on matters of substance shall be taken by a two-thirds majority of the representatives present and voting.

Rule 45

Reports of the Special Commissions

1. Each Special Commission shall submit to the Preparatory Commission periodic reports containing a concise summary of recommendations and a statement of issues and actions.

2. Upon conclusion of the work of a Special Commission or upon the direction of the Preparatory Commission, each Special Commission shall compile a comprehensive report detailing the work of that Special Commission, including the texts of any recommendations or studies prepared by it and shall submit it to the Plenary.

IX. OTHER SUBSIDIARY BODIES

Rule 46

Establishment of other subsidiary bodies

The Preparatory Commission may establish such subsidiary bodies as it deems necessary for the performance of its functions. The competence and composition of each subsidiary body shall be determined by the Preparatory Commission.

Rule 47

Rules of procedure of other subsidiary bodies

These rules shall apply, mutatis mutandis, to other subsidiary bodies, except that:

(a) Decisions of such subsidiary bodies on all matters of procedure shall be taken by a majority of the representatives present and voting; and that

(b) Decisions on matters of substance shall be taken by a two-thirds majority of the representatives present and voting.

Rule 50

Administrative duties of the secretariat

The secretariat shall:

(a) Notify all participants in the Preparatory Commission of the date, venue and duration of each session;

XII. MATTERS PERTAINING TO THE RULES OF PROCEDURE

Rule 56

Method of amendment

These rules of procedure may be amended by a decision taken by the majority specified in rule 36, subparagraph (a), after the General Committee has reported on the proposed amendment.

Rule 58

Special rules and procedures

These rules are without prejudice to other special rules and procedures which may be established by the Preparatory Commission to govern specific substantive matters, including those relating to the implementation of resolution II of the Third United Nations Conference on the Law of the Sea.

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Preparatory Commission for the International
Sea-Bed Authority and for the International
Tribunal for the Law of the Sea
Resumed first session
Kingston, Jamaica
15 August-9 September 1983

RULES OF PROCEDURE OF THE PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

(adopted at its 6th meeting on 8 September 1983)

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I. COMPOSITION AND PARTICIPATION

Rule 1

Members

The members of the Preparatory Commission shall consist of the representatives of States and of Namibia, represented by the United Nations Council for Namibia, which have signed the United Nations Convention on the Law of the Sea or have acceded to it, hereinafter referred to as members.

Rule 2

Observers signatories of the Final Act

Representatives of signatories of the Final Act of the Third United Nations Conference on the Law of the Sea may participate fully in the deliberations of the Preparatory Commission as observers but shall not be entitled to participate in the taking of decisions.

Rule 3

Other observers

1. The following may participate in the Preparatory Commission as observers:

(a) States and entities referred to in article 305 of the United Nations Convention on the Law of the Sea which have not signed the Final Act of the Third United Nations Conference on the Law of the Sea;

(b) the specialized agencies of the United Nations and the International Atomic Energy Agency;

(c) intergovernmental organizations which participated as observers at the Third United Nations Conference on the Law of the Sea and other intergovernmental organisations as the Preparatory Commission may decide;

(d) national liberation movements which in their respective regions are recognized by the Organization of African Unity or by the League of Arab States and which have not signed the Final Act of the Third United Nations Conference on the Law of the Sea.

2. Upon the invitation of the Chairman of the Preparatory Commission or a Special Commission, as the case may be, such observers may participate on questions within the scope of their competence but shall not be entitled to participate in the taking of decisions.

3. Written statements submitted by such observers within the scope of their competence and which are related to the work of the Preparatory Commission shall be distributed by the secretariat in the quantities and in the languages in which the statements are made available.

4. The Preparatory Commission may invite non-governmental organizations to sit as observers in its public meetings.

II. REPRESENTATION

Rule 4

Representation

1. Each member of the Preparatory Commission shall be represented by accredited representatives and such alternate representatives and advisers as required.

2. Observers under rules 2 and 3 shall be represented by accredited or designated representatives, as the case may be, and such alternate representatives and advisers as required.

3. The head of delegation may designate an alternate representative or an adviser to act as a representative.

Rule 5

Notification of delegations

1. The credentials of representatives of members and the names of members of a delegation, as the case may be, shall be submitted to the Executive Secretary if possible not later than 24 hours after the opening of the session.

2. The names of other accredited or designated representatives of observers under rules 2 and 3 shall similarly be submitted to the Executive Secretary.

3. The credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs or other authority responsible for foreign affairs. In the absence of a contrary indication, credentials shall have effect for the duration of the Preparatory Commission unless withdrawn or superseded by new credentials.

4. Any later change in the composition of delegations shall also be submitted to the Executive Secretary.

Rule 6

Credentials Committee

A Credentials Committee shall be appointed at the beginning of the first session of the Preparatory Commission to serve for all sessions. It shall consist of nine members, who shall be appointed by the Preparatory Commission upon the proposal of the Chairman. It shall examine the credentials of representatives and report to the Preparatory Commission without delay. At the subsequent sessions of the Preparatory Commission it shall examine only the credentials of representatives newly accredited, unless the Preparatory Commission decides otherwise by a majority of the representatives present and voting.

Rule 7

Objection to a delegation

If an objection is raised against the representation of a delegation, such objection shall be considered by the Credentials Committee forthwith. The report thereon shall be submitted to the Preparatory Commission without delay.

Rule 8

Provisional participation

Pending a decision of the Preparatory Commission upon their credentials, representatives shall be entitled to participate provisionally in the Preparatory Commission.

III. SESSIONS

Rule 9

Sessions

Subject to rule 31, sessions of the Preparatory Commission shall be held as decided by the Commission.

IV. STRUCTURE AND OFFICERS

Rule 10

Structure of the Preparatory Commission

1. The Preparatory Commission shall consist of the Plenary, as the principal organ, and four Special Commissions enjoying equal status.

2. The Preparatory Commission may establish such other subsidiary bodies as necessary for the exercise of its functions, and shall determine their composition and competence.

3. The Special Commissions and other subsidiary bodies of the Preparatory Commission shall be open to all members and to all observers under rule 2.

Rule 11

Officers

1. The Preparatory Commission shall elect a Chairman, 14 Vice-Chairmen and a Rapporteur-General, as well as a Chairman and four Vice-Chairmen of each Special Commission, and such other officers as it may decide, from among the representatives of members.

2. In the election of officers, due regard shall be taken of the practice of the United Nations General Assembly and of the Third United Nations Conference on the Law of the Sea so that each regional group is represented by at least one of its members in each of the organs and that there is an equitable geographical distribution in the membership of the General Committee to ensure its representative character.

Rule 12

Terms of office

The terms of office of the officers of the Preparatory Commission shall be for the duration of the Preparatory Commission.

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V. GENERAL COMMITTEE

Rule 13

Composition of the General Committee

1. The General Committee shall consist of the Chairman and other officers of the Preparatory Commission and of the Special Commissions. The Chairman of the Preparatory Commisson, or in his absence, the Vice-Chairman designated by him, shall serve as Chairman of the General Committee.

2. If the Chairman or any other member of the General Committee finds it necessary to be absent during a meeting of the General Committee, he may designate a member of his delegation to sit and vote in the Committee.

Rule 14

Functions of the General Committee

1. The General Committee shall assist the Chairman in the general conduct of the business of the Preparatory Commission and, subject to the decisions of the Commisson, shall ensure the co-ordination of its work.

2. The General Committee shall meet periodically throughout each session to review the progress of the Preparatory Commission, the Special Commissions and other subsidiary bodies and to make recommendations for furthering such progress. It shall also meet at such other times during a session as the Chairman deems necessary or upon the request of any other of its members.

3. The General Committee shall act on behalf of the Preparatory Commission as the executive organ for the implementation of resolution II of the Third United Nations Conference on the Law of the Sea.

4. The General Committee shall perform such additional tasks as are provided for in these rules of procedure or as are assigned to it by the Preparatory Commission.

Rule 15

Co-ordination by the General Committee

Questions affecting the co-ordination of their work may be referred by the Special Commissions and the other subsidiary bodies to the General Committee, which may make such arrangements as it sees fit, including the holding of joint meetings of Special Commissions or other subsidiary bodies and, where appropriate, proposing to the Preparatory Commission the establishment of joint subsidiary bodies.

VI. CONDUCT OF BUSINESS

Rule 16

Quorum

1. The Chairman may declare a meeting open and permit the debate to proceed when representatives of at least one third of the members participating in that session of the Preparatory Commission are present.

2. The presence of representatives of a majority of the members participating in that session shall be required for any decision to be taken; provided that, for a decision on any matter of substance, the presence of representatives of two thirds of the members of the Preparatory Commission so participating shall be required.

Rule 17

General powers and functions of the Chairman

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the Chairman shall preside at the plenary meetings of the Preparatory Commission, declare the opening and closing of each plenary meeting, direct the discussions at such meetings, accord the right to speak, put questions for decision and announce decisions. He shall rule on points of order and, subject to these rules of procedure, have complete control of the proceedings and over the maintenance of order thereat. The Chairman may propose to the Preparatory Commission the limitation of time to be allowed to speakers, the limitation of the number of times each representative may speak on any question, the adjournment or closure of the debate and the suspension or the adjournment of the meeting.

2. The Chairman, in the exercise of his functions, remains under the authority of the Preparatory Commission.

3. If the Chairman is absent from a plenary meeting or any part thereof, or is temporarily unable to perform his functions, a Vice-Chairman shall act in his place. If the Chairman is otherwise unable to perform his functions, a new Chairman shall be elected.

4. The Chairman, or a Vice-Chairman acting as Chairman, shall not vote but may designate another member of his delegation to vote in his stead.

Rule 18

Speeches

No person may address the Preparatory Commission without having previously obtained the permission of the Chairman. Subject to rules 21 and 22, the Chairman shall call upon speakers in the order in which they signify their desire to speak. The secretariat shall be in charge of drawing up a list of such speakers. The Chairman may call a speaker to order if his remarks are not relevant to the subject under discussion.

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Rule 19

Time-limit on speeches

The Preparatory Commission may limit the time to be allowed to each speaker and the number of times each representative may speak on the question. Before a decision is taken, two representatives of members may speak in favour of, and two against, a proposal to set such limits. When the debate is limited and a representative has spoken his allotted time, the Chairman shall call him to order without delay.

Rule 20

Closing of list of speakers and right of reply

During the course of a debate the Chairman may announce the list of speakers and, with the consent of the Preparatory Commission, declare the list closed. He may, however, accord the right of reply to any representative if a speech delivered after he has declared the list closed makes this desirable.

Rule 21

Precedence

The Chairman of a Special Commission, or the Chairman of a subsidiary body, may be accorded precedence for the purpose of explaining the conclusions arrived at by the Commission or body concerned.

Rule 22

Points of order

1. During the discussion of any matter, a representative may rise to a point of order, and the point of order shall be immediately decided by the Chairman in accordance with these rules of procedure. A representative rising to a point of order may not speak on the substance of the matter under discussion.

2. A representative of a member may appeal against the ruling of the Chairman. The appeal shall be immediately put to the vote, and the Chairman's ruling shall stand unless the appeal is approved by a majority of the representatives present and voting.

Rule 23

Adjournment of debate

During the discussion of any matter, a representative may move the adjournment of the debate on the question under disucssion. In addition to the proposer of the motion, two representatives of members may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote. The Chairman may limit the time to be allowed to speakers under this rule.

Rule 24

Closure of debate

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the motion shall be accorded only to two representatives of members opposing the closure, and the Chairman may limit the time to be allowed to speakers under this rule. Adoption of the motion shall require a two-thirds majority of the representatives present and voting.

Rule 25

Suspension or adjournment of the meeting

During the discussion of any matter, a representative may move the suspension or the adjournment of the meeting. In addition to the proposer of the motion, two representatives of members may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote. The Chairman may limit the time to be allowed to speakers under this rule.

Rule 26

Order of procedural motions

Subject to rule 22, the following motions shall have precedence in the following order over all other proposals or motions before the meeting:

(a) To suspend the meeting;

(b) To adjourn the meeting;

(c) To adjourn the debate on the question under discussion;

(d) To close the debate on the question under discussion.

Rule 27

Decisions on competence

Subject to rule 22, any motion calling for a decision on the competence of the Preparatory Commission to discuss any matter or to adopt a proposal or an amendment submitted to it shall be put to the vote before the matter is discussed or a vote is taken on the proposal or amendment in question.

Rule 28

Proposals and amendments

Proposals and amendments shall normally be submitted in writing to the secretariat, which shall circulate copies to delegations. No proposal shall be discussed or put for decision at any meeting of the Preparatory Commission unless copies of it have been circulated to delegations in all languages of the Commission not later than the day preceding the meeting. The Chairman may, however, permit the discussion and consideration of amendments, or of motions as to procedure, even though these amendments and motions have not been circulated or have only been circulated the same day.

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Rule 29

Withdrawal of proposals and motions

A proposal or motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the proposal or motion has not been amended. A proposal or motion which has thus been withdrawn may be reintroduced by any representative.

Rule 30

Reconsideration of proposals

1. When a proposal has been adopted or rejected, it may not be reconsidered unless the Preparatory Commission by a two-thirds majority of the representatives present and voting so decides. Permission to speak on a motion to reconsider shall be accorded only to two representatives of members opposing reconsideration, after which the motion shall be immediately put to the vote.

2. The Preparatory Commission may decide to limit this rule to the reconsideration of proposals at the same session.

Rule 31

Consideration of financial or administrative implications

Before the Preparatory Commission takes a decision or makes a recommendation the implementation of which might have financial or administrative implications for the United Nations, it shall receive and consider a report from the secretariat on such implications.

VII. DECISION-MAKING

Rule 32

Voting rights

Each member of the Preparatory Commission shall have one vote.

Rule 33

Meaning of the phrase "representatives present and voting"

For the purposes of these rules, the phrase "representatives present and voting" means representatives of members present and casting an affirmative or negative vote; representatives of members who abstain from voting shall be considered as not voting.

Rule 34

Decisions on procedural matters

1. Except as otherwise specified in these rules, decisions of the Preparatory Commission on all matters of procedure shall be taken by a majority of the representatives present and voting.

2. If the question arises whether a matter is one of procedure or of substance, the Chairman shall rule on the question. An appeal against this ruling shall immediately be put to the vote and the Chairman's ruling shall stand unless the appeal is approved by a majority of the representatives present and voting.

Rule 35

Decisions on substantive matters

1. Decisions on the following matters shall be taken by consensus in the Preparatory Commission:

(a) All matters which require consensus under the United Nations Convention on the Law of the Sea, including the decisions requiring consensus under articles 160, paragraph 2(e), 161 and 162, and annex IV, article 11, paragraph 3, of the Convention;

(b) Rules and procedures for the implementation of resolution II of the Third United Nations Conference on the Law of the Sea and for the establishment of adequate machinery to administer the regime for the protection of pioneer investors;

(c) The rules and regulations relating to the exploration and exploitation of the Area;

(d) The final report of all matters within the mandate of the Preparatory Commission for submission to the Assembly of the International Sea-bed Authority and the report containing recommendations regarding practical arrangements for the establishment of the International Tribunal for the Law of the Sea for submission to the meeting of the States Parties to the Convention; provided that, in the final part of the period of one year commencing from the date of deposit of the sixtieth instrument of ratification of or accession to the Convention, the general rule of a two-thirds majority referred to in rule 36, subparagraph (a), shall apply for the approval of the reports referred to above, if it is not possible to reach consensus; the final report shall contain only information on the activities of the Preparatory Commission and as annexes to the report the texts of those decisions and recommendations which were approved by the Preparatory Commission in the course of its work;

(e) Cases where financial obligations which are not provided for in the

Rule 36

Decisions on substantive matters not mentioned in rule 35

1. Decisions of the Preparatory Commission on other matters of substance not mentioned in rule 35 shall be taken by a two-thirds majority of the representatives present and voting, provided that such a majority includes at least a majority of the members participating in that session of the Preparatory Commission.

2. Before a matter of substance is put to the vote, every effort should be made to reach agreement by consensus and no voting shall take place until all efforts at consensus have been exhausted. The Chairman may defer a vote in order to allow for a cooling-off period of up to 72 hours.

3. The determination that all efforts at reaching agreement by consensus have been exhausted shall be made by the majority specified in paragraph 1.

Rule 37

Method of voting

1. The Preparatory Commission shall, in the absence of mechanical means for voting, vote by show of hands or by standing, but any representative of a member may request a roll-call. The roll-call shall be taken in the English alphabetical order of the names of the members participating in that session, beginning with the delegation whose name is drawn by lot by the Chairman.

2. When the Preparatory Commission votes by mechanical means, a non-recorded vote shall replace a vote by show of hands or standing and a recorded vote shall replace a roll-call vote. Any representative of a member may request a recorded vote. In the case of a recorded vote, the Preparatory Commission shall, unless otherwise requested, dispense with the procedure of calling out the names of the members; nevertheless, the results of the voting shall be inserted in the record in the same manner as that of a roll-call vote.

Rule 38

Conduct during voting

After the Chairman has announced the commencement of voting, no representative may interrupt the voting, except that representatives of members may interrupt on a point of order in connection with the actual process of voting.

Rule 39

Explanation of vote

Representatives of members may make brief statements consisting solely of explanation of their votes before the voting has commenced or after the voting has been completed. The representative sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended.

Rule 40
Division of proposals and amendments

A representative of a member may move that parts of a proposal or of an amendment be voted on separately. If an objection is made to the request for division, the motion for division shall be voted upon. If the motion for division is carried, those parts of the proposal or of the amendment which are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

Rule 41
Order of voting on amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the amendment furthest removed in substance from the original proposal shall be voted first and then the amendment next furthest removed therefrom, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted on. A motion is considered an amendment to a proposal if it merely adds to, deletes from, or revises part of that proposal.

Rule 42

Order of voting on proposals

If two or more proposals, other than amendments, relate to the same question, they shall, unless the Preparatory Commission decides otherwise, be voted on in the order in which they were submitted. The Commission may, after each vote on a proposal, decide whether to vote on the next proposal.

Rule 43
Elections

1. All elections shall be held by secret ballot unless, in the absence of any objection, the Preparatory Commission decides to proceed without taking a ballot on an agreed candidate or slate.

2. When one or more elective places are to be filled at one time under the same conditions, each delegation entitled to vote may cast a vote for as many candidates as there are places to be filled, and those candidates, in a number not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast and the largest number of votes shall be elected.

3. If the number of candidates obtaining such majority is less than the number of persons or delegations to be elected, there shall be additional ballots to fill the remaining places the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballots, to a number not more than twice the places remaining to be filled; provided that, after the third inconclusive ballot, votes may be cast for any eligible person or delegation. If three such unrestricted ballots are inconclusive, the next three ballots shall be restricted to the candidates who obtained the greatest number of votes in the third of the unrestricted ballots, to a number not more than twice the places remaining to be filled, and the following three ballots thereafter shall be unrestricted, and so on until all the places have been filled.

VIII. SPECIAL COMMISSIONS AND OTHER SUBSIDIARY BODIES

Rule 44

Rules of procedure of the Special Commissions and other subsidiary bodies

These rules apply, mutatis mutandis, to the Special Commissions and other subsidiary bodies, except that:

(a) Decisions of the Special Commissions and other subsidiary bodies on all matters of procedure shall be taken by a majority of the representatives present and voting; and that

(b) Decisions on matters of substance shall be taken by a two-thirds majority of the representatives present and voting.

Rule 45

Reports of the Special Commissions

1. Each Special Commission shall submit to the Preparatory Commission periodic reports containing a concise summary of recommendations and a statement of issues and actions.

2. Upon conclusion of the work of a Special Commission or upon the direction of the Preparatory Commission, each Special Commission shall compile a comprehensive report detailing the work of that Special Commission, including the texts of any recommendations or studies prepared by it and shall submit it to the Plenary.

IX. SECRETARIAT

Rule 46

Organisation of the secretariat

1. The Secretary-General of the United Nations shall make available to the Preparatory Commission such secretariat services as may be required, in accordance with relevant resolutions of the General Assembly of the United Nations.

2. The Secretary-General, in agreement with the Preparatory Commission, shall promulgate procedures for the handling of confidential data referred to in resolution II of the Third United Nations Conference on the Law of the Sea.

3. The Secretary-General or his Special Representative shall act in that capacity in all meetings of the Preparatory Commission, its Special Commissions and other subsidiary bodies.

4. The Secretary-General shall designate an Executive Secretary to assist the Preparatory Commission in the performance of its functions.

Rule 47

Administrative duties of the secretariat

The secretariat shall:

(a) Notify all participants in the Preparatory Commission of the date, venue and duration of each session;

(b) Keep the Preparatory Commission fully informed as to any change in the number of signatories of the United Nations Convention on the Law of the Sea and the status of participants at each session;

(c) Receive, translate, reproduce and circulate documents of the Preparatory Commission;

(d) Interpret speeches made at meetings;

(e) Make and arrange for the keeping of sound recordings of meetings of the Preparatory Commission, Special Commissions and other subsidiary bodies when it so decides;

(f) Publish and circulate reports of the Preparatory Commission;

(g) Have the custody and the preservation of the documents in the archives of the United Nations;

(h) Maintain and publish periodically a journal of decisions taken by the Preparatory Commission, its Special Commissions and other subsidiary bodies, including, if possible, brief summaries of proceedings;

(i) Generally perform all other work which the Preparatory Commission may require in connection with its proceedings.

Rule 48

Statements by the secretariat

The Secretary-General of the United Nations, his Special Representative or any staff designated for that purpose may at any time make either oral or written statements concerning any question under consideration.

X. MEETINGS, LANGUAGES AND DOCUMENTATION

Rule 49

Private and public meetings

1. The plenary meetings of the Preparatory Commission and the meetings of the Special Commissions shall be held in public, unless otherwise decided.

2. As a general rule meetings of other subsidiary bodies shall be held in private.

Rule 50

Languages of the Preparatory Commission

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Preparatory Commission.

Rule 51

Interpretation

1. Speeches made in a language of the Preparatory Commission shall be interpreted in the other such languages.

2. Any representative can address meetings or submit a proposal in a language other than the languages of the Preparatory Commission, provided that such delegation provides the interpretation and translation into one of the languages of the Preparatory Commission. Interpretation of such a language into the languages of the Preparatory Commission by the interpreters of the secretariat may be based on the interpretation given in the first such language.

Rule 52

Submission of documents to the secretariat

All documents submitted to the secretariat by a delegation shall be in one of the languages of the Preparatory Commission. They should be submitted at least 48 hours before consideration by the Commission.

XI. OTHER MATTERS

Rule 53

Method of amendment

These rules of procedure may be amended by a decision taken by the majority specified in rule 36, paragraph 1, after the General Committee has reported on the proposed amendment.

Rule 54

Special rules and procedures

These rules are without prejudice to other special rules and procedures which may be established by the Preparatory Commission to govern specific substantive matters, including those relating to the implementation of resolution II of the Third United Nations Conference on the Law of the Sea.

Rule 55

Membership by entities

The term "members" refers also to representatives of entities mentioned in article 305 of the United Nations Convention on the Law of the Sea which have signed the Convention or acceded to it. Membership by the entities referred to in article 305, paragraph 1(f), shall be in accordance with annex IX.

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15 August-9 September 1983

RULES OF PROCEDURE OF THE PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

(adopted at its 6th meeting on 8 September 1983)

Corrigendum

Page 9, rule 35, paragraph 1 (d), line 8

For subparagraph (a) read paragraph 1

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(adopted at its 6th meeting on 8 September 1983)

Corrigendum

Page 9, Rule 35, paragraphs 1 (e) and 2

These paragraphs should read

(e) Cases where financial obligations which are not provided for in the approved budget of the United Nations are imposed on States.

2. For the purposes of this rule, "consensus" means the absence of any formal objection.

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CONVENTION ON THE
LAW OF THE SEA

LOS/PCN/30
24 October 1983
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ORIGINAL: RUSSIAN

PREPARATORY COMMITTEE FOR THE INTERNATIONAL
SEA-BED AUTHORITY AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE SEA

LETTER DATED 20 JULY 1983 FROM THE ACTING PERMANENT REPRESENTATIVE OF THE UNION OF SOVIET SOCIALIST REPUBLICS TO THE UNITED NATIONS ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMISSION

As we already had the honour to inform you on 10 June 1983, during the period which has elapsed since we sent a letter to the Preparatory Commission concerning the implementation of resolution II of the United Nations Conference on the Law of the Sea (LOS/PCN/4 of 8 April 1983), the Soviet Union has done everything possible to exchange co-ordinates of areas with other prospective pioneer investors, and to initiate negotiations with them to resolve possible conflicts concerning the boundaries of areas by 1 May 1983. On 30 April 1983, the Soviet Union reached an understanding with India on the absence of any conflicts between them concerning the boundaries of their areas, and the two countries informed you of that understanding. So far no notifications have been received from other prospective certifying States of their readiness to exchange co-ordinates of areas with the USSR in order to resolve possible conflicts.

In this connection, the Union of Soviet Socialist Republics, in accordance with resolution II of the United Nations Conference on the Law of the Sea, and as a certifying State, hereby submits to the Preparatory Commission on behalf of the Soviet enterprise "Southern Production Association for Marine Geological Operations" ("Yuzhmorgeologiya"), which is located in the town of Gelendzhik in the Krasnodarskiy district, and the General Director of which is Mr. I. F. Glumov, an application for registration of the enterprise as a pioneer investor.

It is certified that this Soviet enterprise expended, before 1 January 1983, 40.9 million roubles on pioneer activities, as defined in resolution II, including 16 million roubles in the location, survey and evaluation of the area in respect of which this application is submitted. It is also certified that the list of co-ordinates of the area was submitted before 10 December 1982 by the Soviet enterprise concerned to the USSR Ministry of Geology as the State body with responsibility for issuing licences.

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In accordance with paragraph 3 (a) of resolution II, the application covers an area of the sea-bed 300,000 sq. km. having sufficient estimated commercial value to allow two mining operations. The area has been divided into two parts of equal estimated commercial value.

The data and information referred to in paragraph 3 (a) of resolution II are being transmitted to the Preparatory Commission in a sealed packet in order to preserve their confidentiality as annex 1 to this application (5 maps).

The co-ordinates of the area, because of their strict confidentiality, are being kept by the Permanent Representative of the USSR to the United Nations in a sealed packet which will be transmitted immediately to the Preparatory Commission at your request as annex 2 to the application.

(Signed) R. OVINNIKOV
Acting Permanent Representative of the USSR
to the United Nations

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/31
24 October 1983

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL TRIBUNAL
FOR THE LAW OF THE SEA

LETTER DATED 25 AUGUST 1983 FROM THE CHAIRMAN OF THE PREPARATORY COMMISSION ADDRESSED TO THE PERMANENT REPRESENTATIVE OF THE UNION OF SOVIET SOCIALIST REPUBLICS TO THE UNITED NATIONS

I refer to the letter of application for registration as a pioneer investor of the Soviet enterprise "Southern Production Association for Marine Geological Operations" ("Yuzhmorgeologiya") submitted on 20 July 1983 by the Union of Soviet Socialist Republics, as a certifying State, on behalf of that enterprise in accordance with resolution II of the Third United Nations Conference on the Law of the Sea.

I hereby acknowledge the receipt of that letter, as well as the receipt of a sealed packet attached to it as annex I which, according to the letter, contains the data and information referred to in paragraph 3 (a) of resolution II.

I will inform the Preparatory Commission of your communication. In the meantime, the sealed packet containing annex I will be deposited with the Secretary-General of the United Nations for safe-keeping.

(Signed) Joseph S. WARIOBA
Chairman of the Preparatory Commission
for the International Sea-Bed Authority and
for the International Tribunal for the Law
of the Sea

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/32
14 February 1984

ORIGINAL: ENGLISH

PREPARATORY COMMITTEE FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

RECEIPT OF APPLICATION FROM INDIA FOR REGISTRATION AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

Note by the Secretary-General

1. In accordance with the procedures and guidelines for registration of pioneer investors under resolution II of the Third United Nations Conference on the Law of the Sea, as contained in annex II of document LOS/PCN/27 dated 8 September 1983, the Secretary-General informs the Preparatory Commission that on 12 January 1984 he received from the Permanent Mission of India a letter dated 10 January 1984, submitting an application for the registration of India as a pioneer investor under the provisions of resolution II.

2. Two enclosures were submitted with that letter:

(a) An envelope marked "PART I - ENCLOSURES TO LETTER NO. NY/PM/240/1/83 DATED JANUARY 10, 1984 FROM THE ACTING PERMANENT REPRESENTATIVE OF INDIA TO THE UNITED NATIONS TO THE CHAIRMAN, PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA";

(b) A package marked "PART II - ENCLOSURES TO LETTER NY/PM/240/1/83 DATED 10TH JANUARY, 1984 FROM THE ACTING PERMANENT REPRESENTATIVE OF INDIA TO THE UNITED NATIONS TO THE SECRETARY-GENERAL, UNITED NATIONS, NEW YORK".

3. The Government of the Republic of India signed the United Nations Convention on the Law of the Sea on 10 December 1982.

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/43
12 April 1984

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
Second session
Kingston, Jamaica
19 March - 13 April 1984

SUGGESTED PROGRAMME OF WORK FOR THE PLENARY OF THE PREPARATORY COMMISSION ON THE AUTHORITY

On the basis of suggestions by the Chairman adopted at the 5th plenary meeting of the Preparatory Commission on 8 September 1983 (document LOS/PCN/27) and in accordance with paragraph 5, subparagraphs (a-g) of resolution I of the Third United Nations Conference on the Law of the Sea, the following lists of headings may be identified as constituting the basis for the work programme of the plenary on the Authority:

I. Draft rules of procedures of the Assembly of the International Sea-Bed Authority;

II. Draft rules of procedures of the Council of the International Sea-Bed Authority;

III. Draft rules of procedures of the Economic Planning Commission and the Legal and Technical Commission;

IV. Draft of the Staff rules and regulations of the Secretariat of the International Sea-Bed Authority;

V. Draft financial and budgetary rules of the International Sea-Bed Authority;

VI. Internal administration of the Authority;

VII. Recommendations concerning the relation between the Authority and the United Nations and other international organizations;

VIII. Recommendations concerning the establishment of the Headquarters of the Authority;

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IX. Recommendations concerning the budget for the first financial period of the Authority,

X. The provisional agenda for the first session of the Assembly and of the Council of the International Sea-Bed Authority.

The above list may not be exhaustive and may be subject to modification and elaboration.

UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/50
22 August 1984

Original: ENGLISH

PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

Geneva, 13 August - 5 September 1984

RECEIPT OF APPLICATION FROM THE GOVERNMENT OF JAPAN FOR REGISTRATION OF THE JAPANESE ENTERPRISE "DEEP OCEAN RESOURCES DEVELOPMENT CO., LTD." AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

Note by the Secretary-General

1. In accordance with the procedures and guidelines for registration of pioneer investors under resolution II of the Third United Nations Conference on the Law of the Sea, as contained in annex II of document LOS/PCN/27 dated 8 September 1983, the Secretary-General informs the Preparatory Commission that on 21 August 1984 the Special Representative of the Secretary-General for the Law of the Sea received from the Permanent Mission of Japan in Geneva a letter dated 21 August 1984, addressed to the Chairman of the Preparatory Commission, submitting an application for the registration of the Japanese enterprise "Deep Ocean Resources Development Co., Ltd." as a pioneer investor under the provisions of resolution II. The texts of the covering letter and of the application submitted are annexed hereto.

2. The application was accompanied by a sealed box said to contain details relating to the application.

3. The Government of Japan signed the United Nations Convention on the Law of the Sea on 7 February 1983.

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ANNEX

LETTER DATED 21 AUGUST 1984 FROM THE PERMANENT REPRESENTATIVE OF JAPAN TO THE OFFICE OF THE UNITED NATIONS ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMISSION

Upon instructions from my Government, I have the honour to transmit an application for the registration of the Japanese enterprise "Deep Ocean Resources Development Co., Ltd." as a pioneer investor. The geographical co-ordinates of the application area and a statement certifying the level of expenditure are attached to the application in a sealed package in order to preserve their confidentiality.

I should be grateful if you could arrange for the contents of this letter and the attached application, save for the sealed package, to be circulated as an official document of the Preparatory Commission.

(Signed) Kazuo Chiba
Ambassador
Permanent Representative of Japan
to the Office of the United Nations

The Government of Japan, which signed the United Nations Convention on the Law of the Sea on 7 February 1983, hereby submits as a certifying State to the Preparatory Commission on behalf of the Japanese enterprise "Deep Ocean Resources Development Co., Ltd." (hereinafter referred to as DORD), which is located in 2-8 Kanda-Surugadai, Chiyoda-ku, Tokyo, and the President of which is Mr. Yoshio Tadenuma, an application for registration of the enterprise as a pioneer investor, in accordance with resolution II included in the Final Act of the Third United Nations Conference on the Law of the Sea.

A statement by the Government of Japan certifying the level of expenditure made in accordance with paragraph 1 (a) of resolution II is contained in the sealed package attached to this letter.

The co-ordinates of the area, which has sufficient estimated commercial value to allow two mining operations and does not exceed 300,000 square kilometres, are also contained in the sealed attachment. It is certified that the initial list of the co-ordinates of the area was submitted on 20 September 1982, by DORD to the Ministry of International Trade and Industry, and was amended on 22 February 1984 as a result of the resolution of conflicts with some of the pioneer investors referred to in paragraph 1 (a) of resolution II, including the French consortium "Association Française pour l'Etude et la Recherche des Nodules (AFERNOD)". It is presumed that no overlapping of claimed areas exists among the pioneer investors referred to in paragraph 1 (a) (i) and (ii) of resolution II except with regard to the Soviet enterprise "Southern Production Association for Marine Geological Operations".

The present application should not be interpreted in any way as changing the position of the Government of Japan with regard to the implementation of resolution II expressed in our letters dated 28 April 1983, 29 March 1984 and 12 April 1984 addressed to you. It means that the Government of Japan still considers that no application should be examined by the Preparatory Commission unless overlapping conflicts are resolved among countries concerned and the Commission becomes fully ready to receive an application pursuant to paragraph 2 of resolution II and in accordance with the relevant rules and procedures to be adopted by the Preparatory Commission. Therefore, the present application and the other similar applications should not be examined for the moment, until all the relevant conditions will have been satisfied. In this connection it is understood that the sealed attachment shall not be opened without the written consent of the Government of Japan.

It is noted that the Rules and Procedures for Registration of Pioneer Investors have not been completed and adopted by the Preparatory Commission. Therefore, depending upon the final contents of those Rules and Procedures, the present application may have to be either reformulated or even altered in conformity with them. That possibility may affect the manner of presenting the co-ordinates and other confidential information now contained in the sealed attachment. Therefore, the Government of Japan reserves its right to withdraw from the custody of the Preparatory Commission the sealed attachment in those circumstances and to resubmit it to the Preparatory Commission after making necessary adjustments.

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
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LOS/PCN/51
23 August 1984

ENGLISH
Original: ENGLISH/FRENCH

PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

Geneva, 13 August - 5 September 1984

RECEIPT OF APPLICATION FROM THE GOVERNMENT OF FRANCE FOR REGISTRATION OF THE ASSOCIATION FRANCAISE POUR L'ETUDE ET LA RECHERCHE DES NODULES (A.F.E.R.N.O.D.) AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

Note by the Secretary-General

1. In accordance with the procedures and guidelines for registration of pioneer investors under resolution II of the Third United Nations Conference on the Law of the Sea, as contained in annex II of document LOS/PCN/27 dated 8 September 1983, the Secretary-General informs the Preparatory Commission that he received on 22 August 1984 from the Permanent Mission of France in New York a letter from the Government of France dated 3 August 1984, addressed to the Chairman of the Preparatory Commission, submitting an application for the registration of the "Association française pour l'étude et la recherche des nodules (A.F.E.R.N.O.D.)" as a pioneer investor under the provisions of resolution II and a declaration regarding the expenditure relating to pioneer activities. The texts of the application and of the accompanying declaration are annexed hereto.

2. The application was accompanied by a sealed package said to contain details relating to the application.

3. The Government of France signed the United Nations Convention on the Law of the Sea on 10 December 1982.

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ANNEX

LETTER DATED 3 AUGUST 1984 FROM THE GOVERNMENT OF FRANCE ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMISSION

The Government of the French Republic, which on 10 December 1982 signed the Final Act and the United Nations Convention on the Law of the Sea, taking resolutions I and II contained in the Final Act as its basis, in its capacity as a certifying State, hereby submits an application to the Preparatory Commission for registration as a pioneer investor on behalf of the National Centre for Oceanic Exploration (CNEXO), a national public body with headquarters at 66, avenue d'Iéna, Paris, whose President and Director-General is Mr. Yves Sillard, acting as Manager of the Association française pour l'étude et la recherche de nodules (AFERNOD), a partnership under French law.

A statement concerning investments made by this body is attached to the present letter.

The co-ordinates of the area required, which is sufficiently large and of sufficient estimated value to allow two mining operations and does not exceed 300,000 km^2, are contained in the sealed annex attached herewith. It is certified that the original list of co-ordinates, amended subsequently in the light of the settlement of a conflict with the Japanese company "Deep Ocean Resources Development Co.Ltd." (DORD), likewise having the status of pioneer investor, was deposited on 1 July 1981 by the National Centre for Oceanic Exploration of the Ministry of Industry of the French Republic. The possibility of a conflict with the Soviet company Southern Production Union for Marine Geology still subsists at the date of the present letter. In this respect, exchanges of views between the interested delegations are being pursued with a view to reaching a satisfactory solution.

The submission of the present application in no way changes the position of the Government of the French Republic in regard to the implementation of resolution II, as resulting from the letters addressed to you in its name on 27 April 1983, 30 March 1984 and 12 April 1984 and stating that no application for assignment of a pioneer area can be examined by the Preparatory Commission until such time as all possible overlappings between the areas applied for by signatory States have been settled, the organs of the Preparatory Commission are ready to function and the rules for the registration of applications have been adopted. The Government of the French Republic therefore considers that the present application and similar applications cannot for the time being be taken into consideration, since not all the conditions required have as yet been fulfilled. In view of the above, it reserves the right to amend or supplement any information required.

Accept, Sir, the assurances of my highest consideration.

For and on behalf of the Minister

(Signed) Bertrand DUFOURCQ
Directeur de Cabinet

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Statement concerning investments by CNEXO

The Government of the French Republic certifies that, prior to 1 January 1983, the National Centre for Oceanic Exploration invested 399,000,000 (three hundred and ninety-nine million) francs in pioneer activities as defined in resolution II, of which 197,000,000 (one hundred and ninety-seven million) francs were devoted to the localization, topographic study and evolution of the area in respect of which the application is made.

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

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LOS/PCN/56
12 March 1985

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
Third session
Kingston, Jamaica
11 March-4 April 1985

LETTER DATED 28 FEBRUARY 1985 FROM THE GOVERNMENTS OF FRANCE, JAPAN AND THE UNION OF SOVIET SOCIALIST REPUBLICS ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMISSION

In accordance with the "Understanding on the Procedure for Conflict Resolution among the First Group of Applicants" (Doc. LOS/PCN/L.8, dated August 31, 1984) the delegations of France, Japan and of the USSR met in Paris (January 11-16, 1985), Tokyo (February 1-6, 1985) and Moscow (February 22-28, 1985) in order to solve the conflicts of the overlappings of the application areas which were ascertained between France and the USSR, on the one hand, and between Japan and the USSR, on the other.

The French and Soviet delegations were not able to settle their conflict on the basis of a fair sharing of the overlapping area due to the magnitude of the overlapping ascertained. It appears that the implementation of this principle could not allow the Parties to fulfill the other condition set out in Resolution II, paragraph 3, which provides that "each application shall cover a total area which need not be a single continuous area, sufficiently large and of sufficient estimated commercial value to allow two mining operations", a part of which being reserved for the International Sea-Bed Authority.

The conflict concerning the overlapping between the Japanese and Soviet application areas has been provisionally solved during the negotiations. This solution will be finalized simultaneously with, and depending on, the outcome of the solution of the French-Soviet conflict.

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Pursuant to the "Understanding on Resolution of Conflicts among Applicants for Registration as Pioneer Investors" reached at the last session of the Preparatory Commission the French, Japanese and Soviet applications are to be registered simultaneously after the Japanese-Soviet and the French-Soviet conflict have been finally solved.

(Signed) Claude CHAYET
For the delegation of the
Government of the French Republic

(Signed) Hiroyuki YUSHITA
For the delegation of the
Government of Japan

(Signed) Yuri B. KAZMIN
For the delegation of the
Government of the Union of Soviet
Socialist Republics

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/86
23 July 1987

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
New York
27 July-21 August 1987

RECEIPT OF A REVISED APPLICATION FROM THE GOVERNMENT OF JAPAN FOR THE REGISTRATION OF THE JAPANESE ENTERPRISE "DEEP OCEAN RESOURCES DEVELOPMENT COMPANY, LTD." AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

Note by the Secretary-General

In accordance with the statement on the implementation of resolution II (LOS/PCN/L.41/Rev.1, annex) adopted by the Preparatory Commission in New York on 5 September 1986 and the statement of understanding on the implementation of resolution II (LOS/PCN/L.43/Rev.1) adopted by the Preparatory Commission at Kingston on 10 April 1987, the Secretary-General hereby informs the Preparatory Commission of the receipt on 20 July 1987 of a letter of the same date from the Permanent Mission of Japan to the United Nations addressed to the Chairman of the Preparatory Commission, enclosing a revised application for the registration of the Japanese enterprise "Deep Ocean Resources Development Company, Ltd." as a pioneer investor under the provisions of resolution II, governing preparatory investment in pioneer activities in the deep sea-bed relating to polymetallic nodules. The text of the letter is annexed hereto.

Annex

LETTER DATED 20 JULY 1987 FROM THE PERMANENT REPRESENTATIVE OF JAPAN TO THE UNITED NATIONS ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMISSION

With reference to our letter of 21 August 1984, concerning the submission of an application for the registration of the Japanese enterprise "Deep Ocean Resources Development Company, Ltd." as a pioneer investor under the provisions of resolution II (LOS/PCN/50), and to the statement on the implementation of resolution II (LOS/PCN/L.41/Rev.1) adopted by the Preparatory Commission in New York on 5 September 1986 as well as the statement of understanding on the implementation of resolution II (LOS/PCN/L.43/Rev.1) adopted by the Preparatory Commission at Kingston on 10 April 1987, I have the honour to transmit herewith, upon instructions from my Government, a revised application for the registration of the Japanese enterprise mentioned above. All documents and data, including the geographical co-ordinates of the revised application area and a statement certifying the level of expenditure, are attached to the revised application.

In accordance with paragraph 9 of the statement of understanding on the implementation of resolution II (LOS/PCN/L.43/Rev.1), the Government of Japan reserves the right to withdraw volume II (in the sealed package) of the revised application in order to make necessary adjustments to data contained therein any time before the application is examined by the Group of Technical Experts. It would be appreciated if the original application could be returned.

I should be grateful if you could arrange for the contents of this letter to be circulated as an official document of the Preparatory Commission.

(Signed) K. KIKUCHI
Ambassador Extraordinary and
Plenipotentiary
Permanent Representative of Japan
to the United Nations

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

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LOS/PCN/87
23 July 1987

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
New York
27 July-21 August 1987

RECEIPT OF A REVISED APPLICATION FROM THE GOVERNMENT OF INDIA FOR THE REGISTRATION AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

Note by the Secretary-General

In accordance with the statement on the implementation of resolution II (LOS/PCN/L.41/Rev.1, annex) adopted by the Preparatory Commission in New York on 5 September 1986 and the statement of understanding on the implementation of resolution II (LOS/PCN/L.43/Rev.1) adopted by the Preparatory Commission at Kingston on 10 April 1987, the Secretary-General hereby informs the Preparatory Commission that he received on 20 July 1987 from the Permanent Mission of India to the United Nations a note verbale of the same date, enclosing a revised application for the registration of India as a pioneer investor under the provisions of resolution II, governing preparatory investment in pioneer activities in the deep sea-bed relating to polymetallic nodules. The text of the note verbale is annexed hereto.

Annex

NOTE VERBALE DATED 20 JULY 1987 FROM THE PERMANENT MISSION OF INDIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of India to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to submit the revised application of the Government of India for registration and allocation of a pioneer area for pioneer activities relating to polymetallic nodules in accordance with paragraph 2 of the resolution governing the preparatory investment in pioneer activities relating to polymetallic nodules, adopted by the Third United Nations Conference on the Law of the Sea on 30 April 1982.

The Government of India would be grateful if this application could be brought to the attention of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea for registration as a pioneer investor and for the allocation of a pioneer area.

UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

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GENERAL

LOS/PCN/88
23 July 1987
ENGLISH
ORIGINAL: ENGLISH/RUSSIAN

PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
New York
27 July-21 August 1987

RECEIPT OF A REVISED APPLICATION FROM THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS FOR THE REGISTRATION OF THE SOVIET ENTERPRISE "YUZHMORGEOLOGIYA" AS A PIONEER INVESTOR

Note by the Secretary-General

In accordance with the statement on the implementation of resolution II (LOS/PCN/L.41/Rev.1, annex) adopted by the Preparatory Commission in New York on 5 September 1986 and the statement of understanding on the implementation of resolution II (LOS/PCN/L.43/Rev.1) adopted by the Preparatory Commission at Kingston on 10 April 1987, the Secretary-General hereby informs the Preparatory Commission that he received on 20 July 1987 from the delegation of the Union of Soviet Socialist Republics a letter of the same date, enclosing a revised application for the registration of the Soviet enterprise "Yuzhmorgeologiya" as a pioneer investor under the provisions of resolution II, governing preparatory investment in pioneer activities in the deep sea-bed relating to polymetallic nodules. The text of the letter is annexed hereto.

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Annex

LETTER DATED 20 JULY 1987 FROM THE DELEGATION OF THE UNION OF SOVIET SOCIALIST REPUBLICS ADDRESSED TO THE SECRETARY-GENERAL

[Original: Russian]

I have the honour to transmit herewith a revised application for the registration of the Soviet enterprise "Yuzhmorgeologiya" as a pioneer investor in the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea.

The revised application is submitted in accordance with the decisions of the Preparatory Commission (documents LOS/PCN/L.41/Rev.1 of 11 September 1986 and LOS/PCN/L.43/Rev.1 of 15 April 1987).

(Signed) Y. KAZMIN
for the USSR delegation to the
Preparatory Commission for the International
Sea-Bed Authority and for the International
Tribunal for the Law of the Sea

UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

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LOS/PCN/89
23 July 1987
ENGLISH
ORIGINAL: ENGLISH/FRENCH

PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
New York
27 July-21 August 1987

RECEIPT OF A REVISED APPLICATION FROM THE GOVERNMENT OF FRANCE FOR THE REGISTRATION AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

Note by the Secretary-General

In accordance with the statement on the implementation of resolution II (LOS/PCN/L.41/Rev.1, annex) adopted by the Preparatory Commission in New York on 5 September 1986 and the statement of understanding on the implementation of resolution II (LOS/PCN/L.43/Rev.1) adopted by the Preparatory Commission at Kingston on 10 April 1987, the Secretary-General hereby informs the Preparatory Commission that he received on 20 July 1987 from the Chairman of the delegation of France to the Preparatory Commission a letter of the same date, enclosing a revised application for the registration of France as a pioneer investor under the provisions of resolution II, governing preparatory investment in pioneer activities in the deep sea-bed relating to polymetallic nodules. The text of the letter is annexed hereto.

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Annex

LETTER DATED 20 JULY 1987 FROM THE CHAIRMAN OF THE DELEGATION OF FRANCE TO THE PREPARATORY COMMISSION ADDRESSED TO THE SECRETARY-GENERAL

[Original: French]

Please find enclosed the revised application for the registration of France, transmitted to you personally, in accordance with paragraph 8 of the statement made by the Chairman of the Preparatory Commission at Kingston (document LOS/PCN/L.43/Rev.1 of 15 April 1987).

(Signed) Michel SUCHOD
Chairman of the delegation of France
to the Preparatory Commission

UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/90
3 August 1987

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL TRIBUNAL
FOR THE LAW OF THE SEA
New York, 27 July-21 August 1987

LETTER DATED 3 AUGUST 1987 FROM THE DELEGATIONS OF BELGIUM, CANADA, ITALY, THE NETHERLANDS AND THE UNION OF SOVIET SOCIALIST REPUBLICS ADDRESSED TO THE ACTING CHAIRMAN OF THE PREPARATORY COMMISSION

Having regard to the statements on the implementation of resolution II adopted at the fourth and fifth sessions of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea on 5 September 1986 and 10 April 1987 and contained in documents LOS/PCN/L.41/Rev.1 and LOS/PCN/L.43/Rev.1, respectively, the delegations of Belgium, Canada, Italy, the Netherlands and the Union of Soviet Socialist Republics wish to inform the Preparatory Commission of the meetings between the representatives of their countries held after the fifth session between April and July 1987, with a view to settling practical problems in connection with deep sea-bed areas which those countries have applied for or may apply for in the future to the Preparatory Commission.

Four rounds of meetings have been held which have made it possible to achieve a comprehensive settlement of practical problems. Within the next two weeks our countries intend to formalize this settlement.

Accordingly, extensive technical work will be required to bring the USSR application into conformity with the above-mentioned settlement of practical problems. The USSR estimates that it will be in a position to submit a revised application to the Preparatory Commission towards the end of November 1987. It is suggested that this revised application should then be considered immediately with a view to registration shortly thereafter, in accordance with the above-mentioned statements.

/...

Our delegations would be grateful if the text of this letter were circulated as an official document of the Preparatory Commission.

(Signed) Hugo FONDER
For the delegation of Belgium

(Signed) Philippe KIRSCH
For the delegation of Canada

(Signed) Giorgio Franchetti PARDO
For the delegation of Italy

(Signed) Henricus GAJENTAAN
For the delegation of the Netherlands

(Signed) Yuri B. KAZMIN
For the delegation of the Union of Soviet Socialist Republics

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
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LOS/PCN/91
3 August 1987

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED
AUTHORITY AND FOR THE
INTERNATIONAL TRIBUNAL FOR
THE LAW OF THE SEA
New York, 27 July-21 August 1987

LETTER DATED 3 AUGUST 1987 FROM THE DELEGATIONS OF FRANCE, INDIA, JAPAN AND THE UNION OF SOVIET SOCIALIST REPUBLICS ADDRESSED TO THE ACTING CHAIRMAN OF THE PREPARATORY COMMISSION

Having regard to the letter dated 3 August 1987 addressed to you by the delegations of Belgium, Canada, Italy, the Netherlands and the USSR, the delegations of France, India, Japan and the USSR wish to inform the Preparatory Commission of their position on the question of registration of their applications submitted on 20 July pursuant to the Statements on the implementation of resolution II adopted at the fourth and fifth sessions of the Preparatory Commission on 5 September 1986 and 10 April 1987, and contained in documents LOS/PCN/L.41/Rev.1 and LOS/PCN/L.43/Rev.1, respectively.

That letter indicates that a comprehensive settlement of practical problems has been reached between those delegations, that consequently "the USSR estimates that it will be in a position to submit a revised application to the Preparatory Commission towards the end of November 1987", and it suggests "that this revised application should then be considered immediately with a view to registration shortly thereafter, in accordance with the above-mentioned statements."

In this connection, the delegations of France, India, Japan and the USSR share the view that the revised applications of France, Japan and the USSR should be considered immediately after the submission of the revised application of the USSR with a view to registration shortly thereafter, in accordance with the above-mentioned statements, in particular paragraph 12 of LOS/PCN/L.43/Rev.1.

In the mean time, India's application be examined by the Group of Experts and the General Committee, with a view to its registration during the present session of the Commission.

Our delegations would be grateful if the text of this letter were circulated as an official document of the Preparatory Commission.

(Signed) Michel SUCHOD
For the delegation of France

(Signed) M. M. K. SARDANA
For the delegation of India

(Signed) Tadashi IKEDA
For the delegation of Japan

(Signed) Igor K. KOLOSSOVSKY
For the delegation of the USSR

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CONVENTION ON THE
LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/92
6 August 1987

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL TRIBUNAL
FOR THE LAW OF THE SEA
New York, 27 July-21 August 1987

LETTER DATED 5 AUGUST 1987 FROM THE CHAIRMAN OF THE DELEGATION OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND ADDRESSED TO THE ACTING CHAIRMAN OF THE PREPARATORY COMMISSION

I have the honour to refer to the letter dated 3 August 1987 addressed to you from the delegations of Belgium, Canada, Italy, the Netherlands and the Union of Soviet Socialist Republics (LOS/PCN/90) concerning meetings held with a view to settling practical problems in connection with deep sea-bed mining areas, and to state that the United Kingdom welcomes the successful outcome of these negotiations on practical problems and associates itself with this settlement.

I request that this letter be circulated as an official document of the Preparatory Commission.

(Signed) H. G. DARWIN
Chairman of the delegation of
the United Kingdom to the
Preparatory Commission

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CONVENTION ON THE
LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/93
6 August 1987

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL TRIBUNAL
FOR THE LAW OF THE SEA
New York, 27 July-21 August 1987

LETTER DATED 5 AUGUST 1987 FROM THE CHAIRMAN OF THE DELEGATION OF THE FEDERAL REPUBLIC OF GERMANY ADDRESSED TO THE ACTING CHAIRMAN OF THE PREPARATORY COMMISSION

I have the honour to refer to the letter dated 3 August 1987 addressed to you from the delegations of Belgium, Canada, Italy, the Netherlands and the Union of Soviet Socialist Republics (LOS/PCN/90) concerning meetings held with a view to settling practical problems in connection with deep sea-bed mining areas, and to state that the Federal Republic of Germany welcomes the successful outcome of these negotiations on practical problems and associates itself with this settlement.

I request that this letter be circulated as an official document of the Preparatory Commission.

(Signed) Horst WINKELMANN
Ambassador
Chairman of the delegation of the
Federal Republic of Germany to the
Preparatory Commission

UNITED NATIONS

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UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/94**
9 October 1987

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
New York, 27 July-21 August 1987

DECISION OF THE GENERAL COMMITTEE ON THE APPLICATION OF THE GOVERNMENT OF INDIA AS A PIONEER INVESTOR UNDER RESOLUTION II

1. Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea and the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex) and the statement of understanding on the implementation of resolution II of 10 April 1987 (LOS/PCN/L.43/Rev.1), the General Committee, in accordance with rule 14, paragraph 3, of the rules of procedure of the Preparatory Commission, has considered the application of the Government of the Republic of India for registration as a pioneer investor under resolution II. The General Committee had before it a report of the Group of Technical Experts (LOS/PCN/BUR/R.1) established by the Preparatory Commission to examine the application. In addition, the applicant had released for the consideration of the General Committee the formal part of its application (LOS/PCN/BUR/INF/R.1).

2. The General Committee noted that, in accordance with paragraph 4 of the statement of understanding of 5 September 1986 (document LOS/PCN/L.41/Rev.1, annex), the Group of Technical Experts had determined that the application of India was in conformity with resolution II, in particular with the principle of equal estimated commercial value, subject to the guidelines and procedures set forth in the above-mentioned statements of understanding.

3. The General Committee has also noted that in its application India has made the following declarations:

** Second reissue for technical reasons.

"India signed the United Nations Convention on the Law of the Sea on 10 December 1982."

"The Application Area is a part of the international sea-bed area in the Central Indian Ocean and is beyond the limits of national jurisdiction of any State."

"The Applicant assures the Preparatory Commission that the application area is free from overlapping claims."

"The Applicant agrees to make the payment of $US 250,000 to the Preparatory Commission as fee for registration as pioneer investor and for the allocation of a pioneer area as soon as the Applicant is advised by the Preparatory Commission."

"The Applicant has not made any other application for allocation of a pioneer area either in the Indian Ocean or in any other ocean. The Applicant undertakes to comply with the provisions of paragraph 12 of the resolution governing preparatory investment in pioneer activities relating to polymetallic nodules. It will also conduct its activities in accordance with the relevant provisions of resolution II and the Rules and Regulations adopted by the Preparatory Commission for the International Sea-bed Authority, including those relating to the preservation of the marine environment."

"The Government of India shall ensure that the pioneer activities are conducted in a manner compatible with the United Nations Convention on the Law of the Sea, 1982." (LOS/PCN/BUR/INF/R.1, sect. 5)

4. The General Committee, having considered the application of India, taking into account the report submitted by the Group of Technical Experts, has noted with appreciation the conclusions reached by the Group of Technical Experts:

(a) That the application of India has been submitted in accordance with resolution II and the statements of understanding contained in documents LOS/PCN/L.41/Rev.1 and LOS/PCN/L.43/Rev.1;

(b) That Areas A and B in the application of India, as adjusted and identified in figure 2 of the report of the Group of Technical Experts, are of equal estimated commercial value;

(c) That Area B, as adjusted, should be designated as the reserved area;

(d) That Area A, as adjusted, which includes an area of 52,300 square kilometres identified by the Applicant, should be designated as the pioneer area to be allocated to the Applicant.

5. It further notes that the list of co-ordinates of Areas A and B, as adjusted, is deposited with the Secretary-General and forms annex 2 of the report of the Group of Technical Experts.

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6. Accordingly, the General Committee, taking into account the readiness of India to comply with the obligations of pioneer investors under resolution II and the above-mentioned statements of understanding,

DECIDES:

(a) To designate Area B, referred to above, as the part of the application area which is to be reserved for the conduct of activities by the Authority in the Area through the Enterprise or in association with developing States;

(b) To allocate Area A, as referred to above, as a pioneer area to the applicant, the Government of India;

(c) To annex the co-ordinates of Areas A and B hereto;

(d) That a certificate of registration shall be issued to the Applicant.

7. The certificate of registration of the application of the Government of the Republic of India shall record:

(a) The identity of the Applicant and of the certifying State;

(b) The date of signature of the Convention by the certifying State;

(c) The date of receipt of the application and any revisions thereto;

(d) The date of the decision for registration as a pioneer investor;

(e) The date of registration as a pioneer investor;

(f) The precise geographical co-ordinates of the area allocated to the Applicant as a pioneer area;

(g) The exclusive right of the pioneer investor to carry out pioneer activities in the pioneer area allocated to it under resolution II of the Third United Nations Conference on the Law of the Sea;

(h) The requirements of compliance by the pioneer investor with its obligations under resolution II and the above-mentioned statements of understanding;

(i) The requirements of compliance by the certifying State with its commitments under resolution II.

8. The General Committee

REQUESTS the Secretary-General of the United Nations:

(a) To inform all the participants of the Preparatory Commission of this decision;

(b) To give due publicity to the co-ordinates of Areas A and B;

(c) To maintain a register for the purpose of registering the pioneer investor and to record the reserved area;

(d) To advise the Applicant of the administrative arrangements necessary for the payment of fee and to prepare and issue to the Applicant a certificate of registration.

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Annex

CO-ORDINATES OF THE TURNING POINTS OF AREAS A AND B AS REFERRED TO IN PARAGRAPH 6 (a), (b) AND (c)

These co-ordinates previously formed annex 2 of the report of the Group of Technical Experts (LOS/PCN/BUR/R.1, para. 32).

I. Area A, allocated as a pioneer area to the Applicant, the Government of India, is bounded by lines joining the following turning points, the co-ordinates of which are listed below:

TURNING POINTS	LATITUDE (S)	LONGITUDE (E)
A1	10°45'	73°00'
A2	10°45'	74°15'
A3	10°30'	74°15'
A4	10°30'	74°30'
A5	10°15'	74°30'
A6	10°15'	75°00'
A7	10°00'	75°00'
A8	10°00'	76°15'
A9	10°15'	76°15'
A10	10°15'	75°45'
A11	10°30'	75°45'
A12	10°30'	76°00'
A13	10°45'	76°00'
A14	10°45'	75°30'
A15	11°30'	75°30'
A16	11°30'	76°00'
A17	11°45'	76°00'
A18	11°45'	76°30'
A19	13°30'	76°30'
A20	13°30'	76°15'
A21	13°45'	76°15'
A22	13°45'	76°00'
A23	14°00'	76°00'
A24	14°00'	75°30'
A25	16°15'	75°30'
A26	16°15'	73°15'
A27	15°45'	75°15'
A28	15°45'	75°00'
A29	15°15'	75°00'
A30	15°15'	75°15'
A31	15°00'	75°15'
A32	15°00'	75°00'
A33	14°45'	75°00'

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TURNING POINTS	LATITUDE (S)	LONGITUDE (E)
A34	14°45'	74°45'
A35	14°30'	74°45'
A36	14°30'	73°15'
A37	14°15'	73°15'
A38	14°15'	73°00'
A39	14°00'	73°00'
A40	14°00'	73°30'
A41	13°45'	73°30'
A42	13°45'	73°45'
A43	13°30'	73°45'
A44	13°30'	74°30'
A45	12°30'	74°30'
A46	12°30'	74°45'
A47	12°15'	74°45'
A48	12°15'	75°00'
A49	11°45'	75°00'
A50	11°45'	74°30'
A51	11°15'	74°30'
A52	11°15'	73°45'
A53	11°45'	73°45'
A54	11°45'	72°45'
A55	11°15'	72°45'
A56	11°15'	73°00'
A1	10°45'	73°00'
A57	10°45'	78°30'
A58	10°30'	78°30'
A59	10°30'	79°15'
A60	11°00'	79°15'
A61	11°00'	79°00'
A62	14°00'	79°00'
A63	14°00'	78°45'
A64	14°30'	78°45'
A65	14°30'	78°15'
A66	14°00'	78°15'
A67	14°00'	78°30'
A68	13°00'	78°30'
A69	13°00'	78°15'
A70	11°15'	78°15'
A71	11°15'	78°00'
A72	11°00'	78°00'
A73	11°00'	78°15'
A74	10°45'	78°15'
A57	10°45'	78°30'

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II. Area B, designated as the reserved area for conduct of activities by the Authority in the Area through the Enterprise or in association with developing States, is bounded by lines joining the following turning points, the co-ordinates of which are listed below:

TURNING POINTS	LATITUDE (E)	LONGITUDE (E)
B1	11°00'	75°30'
B2	11°00'	75°45'
B3	11°30'	75°45'
B4	11°30'	75°30'
B1	11°00'	75°45'
B5	11°30'	76°00'
B6	11°30'	76°30'
B7	11°45'	76°30'
B8	11°45'	76°00'
B5	11°30'	76°00'
B7	11°45'	76°30'
B9	11°45'	76°45'
B10	12°00'	76°45'
B11	12°00'	77°00'
B12	12°15'	77°00'
B13	12°15'	77°15'
B14	12°30'	77°15'
B15	12°30'	77°30'
B16	13°00'	77°30'
B17	13°00'	77°15'
B18	13°45'	77°15'
B19	13°45'	76°45'
B20	14°15'	76°45'
B21	14°15'	77°00'
B22	14°30'	77°00'
B23	14°30'	77°15'
B24	14°45'	77°15'
B25	14°45'	78°15'
B26	14°30'	78°15'
B27	14°30'	78°45'
B28	14°00'	78°45'
B29	14°00'	79°00'
B30	13°15'	79°00'
B31	13°15'	79°30'
B32	13°00'	79°30'
B33	13°00'	79°45'
B34	12°30'	79°45'
B35	12°30'	79°30'
B36	12°00'	79°30'
B37	12°00'	81°00'

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TURNING POINTS	LATITUDE (S)	LONGITUDE (E)
B38	11°45'	81°00'
B39	11°45'	81°45'
B40	14°00'	81°45'
B41	14°00'	81°15'
B42	14°15'	81°15'
B43	14°15'	80°45'
B44	13°15'	80°45'
B45	13°15'	81°15'
B46	12°45'	81°15'
B47	12°45'	80°30'
B48	13°15'	80°30'
B49	13°15'	80°15'
B50	13°30'	80°15'
B51	13°30'	79°30'
B52	14°00'	79°30'
B53	14°00'	79°15'
B54	17°00'	79°15'
B55	17°00'	78°15'
B56	16°30'	78°15'
B57	16°30'	78°45'
B58	16°15'	78°45'
B59	16°15'	78°15'
B60	15°45'	78°15'
B61	15°45'	77°45'
B62	17°00'	77°45'
B63	17°00'	76°45'
B64	16°30'	76°45'
B65	16°30'	77°00'
B66	16°15'	77°00'
B67	16°15'	76°45'
B68	15°45'	76°45'
B69	15°45'	77°00'
B70	15°15'	77°00'
B71	15°15'	76°30'
B72	15°00'	76°30'
B73	15°00'	76°15'
B74	14°45'	76°15'
B75	14°45'	76°00'
B76	15°00'	76°00'
B77	15°00'	75°30'
B78	14°00'	75°30'
B79	14°00'	76°00'
B80	13°45'	76°00'
B81	13°45'	76°15'
B82	13°30'	76°15'
B83	13°30'	76°30'
B7	11°45'	76°30'

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UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

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23 October 1987

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PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
New York, 27 July-21 August 1987

DECISION ADOPTED ON 17 AUGUST 1987 BY THE GENERAL COMMITTEE OF THE PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA ON THE APPLICATION OF THE GOVERNMENT OF INDIA AS A PIONEER INVESTOR UNDER RESOLUTION II

Corrigendum

The title of document LOS/PCN/94 should read as above.

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CONVENTION ON THE
LAW OF THE SEA

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LOS/PCN/96
1 September 1987

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE SEA
New York, 27 July-21 August 1987

DECISION ADOPTED BY THE PREPARATORY COMMISSION AT
ITS 39th PLENARY MEETING, HELD ON 21 AUGUST 1987

Taking into account the decision of the Preparatory Commission (LOS/PCN/L.49) to convene on 23 November 1987 a meeting of the Group of Technical Experts to examine the remaining three applications for registration as pioneer investors under resolution II of the Third United Nations Conference on the Law of the Sea and taking also into account the need of securing the effective participation of all the experts in the examination of the applications,

The Preparatory Commission

DECIDES:

To authorize the Secretary-General to pay the travel costs and per diem of the members of the Group of Technical Experts out of the special trust fund established for the Preparatory Commission for the International Sea-Bed Authority and the International Tribunal for the Law of the Sea from the registration fees paid by the applicants for registration as pioneer investors. Similar expenditures incurred by the members of the Group of Technical Experts for the examination of the application of India should also be reimbursed on the same basis. These costs would be prorated against the fees paid by each of the four applicants.

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6 January 1988

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
New York, 7-18 December 1987

DECISION ADOPTED ON 17 DECEMBER 1987 BY THE GENERAL COMMITTEE OF THE PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA ON THE APPLICATION OF THE GOVERNMENT OF FRANCE AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

1. Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea and the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex) and the statement of understanding on the implementation of resolution II of 10 April 1987 (LOS/PCN/L.43/Rev.1), the General Committee, in accordance with rule 14, paragraph 3, of the rules of procedure of the Preparatory Commission, considered the application submitted by the Government of the Republic of France on behalf of Institut Français de Recherche pour l'Exploitation de la Mer (IFREMER), acting on behalf of Association Française d'Etudes et de Recherche des Nodules (AFERNOD) for registration as a pioneer investor under resolution II. The General Committee had before it a report of the Group of Technical Experts (LOS/PCN/BUR/R.2) established by the Preparatory Commission to examine the application. In addition, the applicant had released for the consideration of the General Committee excerpts from its application (LOS/PCN/BUR/INF/R.4 and LOS/PCN/BUR/INF/R.6).

2. The General Committee noted that, in accordance with paragraph 4 of the statement of understanding of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex), the Group of Technical Experts had concluded that the application of France had been submitted in conformity with resolution II and, inter alia, the General Committee noted that the Group of Technical Experts concluded that:

(a) The estimated commercial value of the area proposed to be reserved for the Authority may be considered equal to the estimated commercial value of the area proposed to be allocated to the applicant;

(b) The estimated commercial value of the contributed areas in the north-east Pacific Ocean referred to in the report of the Group of Technical Experts as the "central region" may be considered to be equal to the average of the estimated

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commercial value of the areas identified by the three applicants, namely France, Japan and the Union of Soviet Socialist Republics, for incorporation into their respective areas.

3. The General Committee also notes that the Republic of France, having signed the United Nations Convention on the Law of the Sea on 10 December 1982, as a certifying State, stated that:

(a) The application area is located beyond the limits of national jurisdiction of any State;

(b) The application area is free from overlapping claims;

(c) The applicant agrees to pay the fee of $US 250,000 to the Preparatory Commission as soon as certain administrative arrangements have been made for the transfer of such fees;

(d) The applicant undertakes to comply with the provisions of resolution II of the Third United Nations Conference on the Law of the Sea, including paragraph 12. It will also conduct its pioneer activities in accordance with the relevant provisions of resolution II and the principles relating to the preservation of the marine environment as set out in the United Nations Convention on the Law of the Sea;

(e) The pioneer activities shall be conducted in a manner compatible with the United Nations Convention on the Law of the Sea.

4. The General Committee, having considered the application submitted by France and taking into account the report submitted by the Group of Technical Experts, has noted with appreciation the conclusions reached by the Group of Technical Experts:

(a) That the application submitted by France is in conformity with resolution II and the statements contained in documents LOS/PCN/L.41/Rev.1, annex, and LOS/PCN/L.43/Rev.1;

(b) That the area consisting of Sector A_1 (20,180 sq km in the central region), Sector B_2 (3,550 sq km in the central region), Sector C_1 (22,350 sq km in the western region) and Sector A_2 (109,360 sq km in the western region), with a total of 155,440 sq km (hereinafter referred to as Area A(F)), be designated as the reserved area;

(c) That the area consisting of Sector F_1 (43,960 sq km in the central region), Sector F_2 (8,330 sq km in the western region), Sector B_1 (4,960 sq km in the central region) and Sector C_2 (17,750 sq km in the western region), with a total of 75,000 sq km (hereinafter referred to as Area B(F)), be designated as the pioneer area to be allocated to the applicant.

5. The Committee further notes that the list of co-ordinates of Areas A(F) and B(F) has been deposited with the Secretary-General.

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6. Accordingly, the General Committee, taking into account the readiness of the applicant and the certifying State to comply with their obligations under resolution II and the statements contained in documents LOS/PCN/L.41/Rev.1, annex, and LOS/PCN/L.43/Rev.1,

DECIDES:

(a) To designate Area A(F) as part of the application area which is to be reserved for the conduct of activities by the Authority in the area through the Enterprise or in association with developing States;

(b) To allocate Area B(F) as a pioneer area to the applicant, Institut Français de Recherche pour l'Exploitation de la Mer (IFREMER), acting on behalf of Association Française d'Etudes et de Recherche des Nodules (AFERNOD);

(c) To annex the co-ordinates of Areas A(F) and B(F) hereto;

(d) That a certificate of registration shall be issued to the applicant.

7. The certificate of registration of the application submitted by the Government of the Republic of France on behalf of Institut Français de Recherche pour l'Exploitation de la Mer (IFREMER), acting on behalf of Association Française d'Etudes et de Recherche des Nodules (AFERNOD), shall record:

(a) The identity of the applicant and of the certifying State;

(b) The date of signature of the Convention by the certifying State;

(c) The date of receipt of the application and any revisions thereto;

(d) The date of the decision for registration as a pioneer investor;

(e) The date of registration as a pioneer investor;

(f) The precise geographical co-ordinates of the area allocated to the applicant as a pioneer area;

(g) The exclusive right of the pioneer investor to carry out pioneer activities in the pioneer area allocated to it under resolution II of the Third United Nations Conference on the Law of the Sea;

(h) The requirement of compliance by the pioneer investor with its obligations under resolution II and the statements contained in documents LOS/PCN/L.41/Rev.1, annex, and LOS/PCN/L.43/Rev.1;

(i) The requirement of compliance by the certifying State with its commitments under resolution II.

8. The General Committee

REQUESTS the Secretary-General of the United Nations:

(a) To inform all the participants of the Preparatory Commission of this decision;

(b) To give due publicity to the co-ordinates of Areas A(F) and B(F);

(c) To maintain a register for the purpose of registering the pioneer investor and to record the reserved area;

(d) To advise the applicant of the administrative arrangements necessary for the payment of the fee and to prepare and issue to the applicant a certificate of registration.

Annex

CO-ORDINATES OF THE TURNING POINTS OF AREAS A(F) AND B(F) REFERRED TO IN PARAGRAPH 6 (a) and (b) OF THIS DECISION

(These co-ordinates previously constituted annex II to the report of the Group of Technical Experts (LOS/PCN/BUR/R.2).)

1. Area A(F), designated as the area reserved for the conduct of activities by the Authority in the Area through the Enterprise or in association with developing States, is bounded by lines joining the following turning points, the co-ordinates of which are listed below:

Turning points	Latitude (N)	Longitude (W)
1	16° 00'	131° 00'
2	16° 00'	129° 18'
3	15° 20'	129° 18'
4	15° 30'	128° 35'
5	15° 00'	128° 35'
6	15° 00'	131° 00'
1	16° 00'	131° 00'
1	12° 50'	151° 00'
2	12° 50'	146° 00'
3	11° 15'	146° 00'
4	11° 00'	146° 19'
5	11° 00'	149° 30'
6	09° 44' 56"	149° 30'
7	09° 44' 56"	151° 00'
1	12° 50'	151° 00'

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2. Area B(F), allocated as a pioneer area to the applicant, Institut Français de Recherche Pour l'Exploitation de la Mer (IFREMER), acting on behalf of Association Française d'Etudes et de Recherche des Nodules (AFERNOD), is bounded by lines joining the following turning points, the co-ordinates of which are listed below:

Turning points	Latitude (N)	Longitude (W)
1	16° 00'	129° 18'
2	16° 00'	128° 35'
3	15° 30'	128° 35'
4	15° 20'	129° 18'
1	16° 00'	129° 18'
1	15° 20'	132° 00'
2	15° 20'	131° 00'
3	15° 00'	131° 00'
4	15° 00'	128° 35'
5	13° 58'	128° 35'
6	13° 58'	129° 10'
7	13° 55'	129° 10'
8	13° 55'	130° 00'
9	13° 45'	130° 00'
10	13° 45'	131° 10'
11	14° 20'	131° 10'
12	14° 20'	131° 30'
13	14° 40'	131° 30'
14	14° 40'	132° 00'
1	15° 20'	132° 00'
1	9° 44' 56"	151° 00'
2	9° 44' 56"	149° 30'
3	8° 40'	149° 30'
4	8° 40'	149° 45'
5	8° 15'	149° 45'
6	8° 15'	151° 00'
1	9° 44' 56"	151° 00'

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/98
6 January 1988

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE SEA
New York, 7-18 December 1987

DECISION ADOPTED ON 17 DECEMBER 1987 BY THE GENERAL COMMITTEE OF THE PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA ON THE APPLICATION OF THE GOVERNMENT OF JAPAN AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

1. Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea and the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex) and the statement of understanding on the implementation of resolution II of 10 April 1987 (LOS/PCN/L.43/Rev.1), the General Committee, in accordance with rule 14, paragraph 3, of the rules of procedure of the Preparatory Commission, considered the application submitted by the Government of Japan on behalf of the Japanese enterprise "Deep Ocean Resources Development Co., Ltd. (DORD)" for registration as a pioneer investor under resolution II. The General Committee had before it a report of the Group of Technical Experts (LOS/PCN/BUR/R.3) established by the Preparatory Commission to examine the application. In addition, the applicant had released for the consideration of the General Committee information concerning its revised application (LOS/PCN/BUR/INF/R.3 and LOS/PCN/BUR/INF/R.7).

2. The General Committee noted that, in accordance with paragraph 4 of the statement of understanding of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex), the Group of Technical Experts had concluded that the application of Japan had been submitted in conformity with resolution II and, inter alia, the General Committee noted that the Group of Technical Experts concluded that:

(a) The estimated commercial value of the area proposed to be reserved for the Authority may be considered equal to the estimated commercial value of the area proposed to be allocated to the applicant;

/...

(b) The estimated commercial value of the contributed areas in the north-east Pacific Ocean referred to in the report of the Group of Technical Experts as the "central region" may be considered to be equal to the average of the estimated commercial value of the areas identified by the three applicants, namely France, Japan and the Union of Soviet Socialist Republics, for incorporation into their respective areas.

3. The General Committee also notes that Japan, having signed the United Nations Convention on the Law of the Sea on 7 February 1983, as a certifying State, stated that:

(a) The application area is located beyond the limits of national jurisdiction of any State;

(b) The application area is free from overlapping claims;

(c) The applicant agrees to pay the fee of $US 250,000 to the Preparatory Commission as soon as certain administrative arrangements have been made for the transfer of such fees;

(d) The applicant undertakes to comply with the provisions of resolution II of the Third United Nations Conference on the Law of the Sea, including paragraph 12. It will also conduct its pioneer activities in accordance with the relevant provisions of resolution II and the principles relating to the preservation of the marine environment as set out in the United Nations Convention on the Law of the Sea;

(e) The pioneer activities shall be conducted in a manner compatible with the United Nations Convention on the Law of the Sea.

4. The General Committee, having considered the application submitted by Japan, and taking into account the report submitted by the Group of Technical Experts, has noted with appreciation the conclusions reached by the Group of Technical Experts:

(a) That the application submitted by Japan is in conformity with resolution II and the statements contained in documents LOS/PCN/L.41/Rev.1, annex, and LOS/PCN/L.43/Rev.1;

(b) That the area consisting of Sector CONT (17,300 sq km in the central region), Sector B_2 (15,900 sq km in the eastern region), Sector B_1 (6,800 sq km in the western region), Sector AT_1 (43,500 sq km in the western region), Sector AT_2 (23,100 sq km in the western region), Sector AT_3 (36,800 sq km in the western region) and Sector AT_4 (6,600 sq km in the central region), with a total of 150,000 sq km (hereinafter referred to as Area A(J)), be designated as the reserved area;

(c) That the area consisting of Sector SA_1 (34,300 sq km in the western region), Sector SA_2 (18,000 sq km in the central region) and Sector A (22,700 sq km in the western region), with a total of 75,000 sq km (hereinafter referred to as Area B(J)), be designated as the pioneer area to be allocated to the applicant.

/...

5. The Committee further notes that the list of co-ordinates of Areas A(J) and B(J) has been deposited with the Secretary-General.

6. Accordingly, the General Committee, taking into account the readiness of the applicant and the certifying State to comply with their obligations under resolution II and the statements contained in documents LOS/PCN/L.41/Rev.1, annex, and LOS/PCN/L.43/Rev.1,

DECIDES:

(a) To designate Area A(J) as part of the application area which is to be reserved for the conduct of activities by the Authority in the Area through the Enterprise or in association with developing States;

(b) To allocate Area B(J) as a pioneer area to the applicant, "Deep Ocean Resources Development Co., Ltd." (DORD);

(c) To annex the co-ordinates of Areas A(J) and B(J) hereto;

(d) That a certificate of registration shall be issued to the applicant.

7. The certificate of registration of the application submitted by the Government of Japan on behalf of "Deep Ocean Resources Development Co., Ltd." (DORD) shall record:

(a) The identity of the applicant and of the certifying State;

(b) The date of signature of the Convention by the certifying State;

(c) The date of receipt of the application and any revisions thereto;

(d) The date of the decision for registration as a pioneer investor;

(e) The date of registration as a pioneer investor;

(f) The precise geographical co-ordinates of the area allocated to the applicant as a pioneer area;

(g) The exclusive right of the pioneer investor to carry out pioneer activities in the pioneer area allocated to it under resolution II of the Third United Nations Conference on the Law of the Sea;

(h) The requirement of compliance by the pioneer investor with its obligations under resolution II and the statements contained in documents LOS/PCN/L.41/Rev.1, annex, and LOS/PCN/L.43/Rev.1;

(i) The requirement of compliance by the certifying State with its commitments under resolution II.

8. The General Committee

REQUESTS the Secretary-General of the United Nations:

(a) To inform all the participants of the Preparatory Commission of this decision;

(b) To give due publicity to the co-ordinates of Areas A(J) and B(J);

(c) To maintain a register for the purpose of registering the pioneer investor and to record the reserved area;

(d) To advise the applicant of the administrative arrangements necessary for the payment of the fee and to prepare and issue to the applicant a certificate of registration.

Annex

CO-ORDINATES OF THE TURNING POINTS OF AREAS A(J) AND B(J) REFERRED TO IN PARAGRAPH 6 (a) AND (b) OF THIS DECISION

(These co-ordinates previously constituted annex II to the report of the Group of Technical Experts (LOS/PCN/SUR/R.3).)

1. Area A(J), designated as the area reserved for the conduct of activities by the Authority in the Area through the Enterprise or in association with developing States, is bounded by lines joining the following turning points, the co-ordinates of which are listed below:

Turning points	Latitude (N)	Longitude (W)
1	09° 10'	152° 55.2'
2	09° 10'	151° 00'
3	08° 35'	151° 00'
4	08° 35'	151° 40'
5	07° 10'	151° 40'
6	07° 10'	152° 50'
7	08° 10'	152° 50'
8	08° 10'	154° 00'
9	08° 52.5'	154° 00'
10	08° 52.5'	152° 55.2'
1	09° 10'	152° 55.2'
1	10° 15'	149° 30'
2	10° 15'	148° 30'
3	10° 00'	148° 30'
4	10° 00'	147° 44.8'
5	08° 40'	147° 44.8'
6	08° 40'	148° 15'
7	08° 52.5'	148° 15'
8	08° 52.5'	148° 52.5'
9	08° 40'	148° 52.5'
10	08° 40'	149° 30'
1	10° 15'	149° 30'
1	11° 00'	146° 19'
2	11° 15'	146° 00'
3	11° 20'	146° 00'
4	11° 20'	145° 30'
5	11° 50'	145° 30'
6	11° 50'	145° 00'
7	09° 30'	145° 00'

Turning points	Latitude (N)	Longitude (W)
8	09° 30'	145° 30'
9	08° 30'	145° 30'
10	08° 30'	146° 00'
11	09° 22.5'	146° 00'
12	09° 22.5'	146° 30'
13	09° 37.5'	146° 30'
14	09° 37.5'	146° 45'
15	10° 07.5'	146° 45'
16	10° 07.5'	146° 32'
17	10° 22.5'	146° 32'
18	10° 22.5'	146° 15'
19	10° 11.25'	146° 15'
20	10° 11.25'	145° 48.75'
21	11° 03.75'	145° 48.75'
22	11° 03.75'	146° 07.5'
23	11° 00'	146° 07.5'
1	11° 00'	146° 19'
1	15° 55'	134° 00'
2	15° 55'	132° 55'
3	14° 17.4'	132° 55'
4	14° 17.4'	132° 48'
5	13° 52'	132° 48'
6	13° 52'	133° 15'
7	14° 00'	133° 15'
8	14° 00'	133° 32'
9	14° 21'	133° 32'
10	14° 21'	134° 00'
1	15° 55'	134° 00'
1	14° 05'	125° 00'
2	14° 05'	123° 35'
3	13° 07.5'	123° 35'
4	13° 07.5'	124° 22.5'
5	13° 22.5'	124° 22.5'
6	13° 22.5'	125° 20'
7	13° 45'	125° 20'
8	13° 45'	125° 00'
1	14° 05'	125° 00'

/...

2. Area B(J), allocated as a pioneer area to the applicant, "Deep Ocean Resources Development Co., Ltd." (DORD), is bounded by lines joining the following turning points, the co-ordinates of which are listed below:

Turning points	Latitude (N)	Longitude (W)
1	11° 00'	149° 15'
2	11° 00'	148° 30'
3	10° 48.75'	148° 30'
4	10° 48.75'	147° 30'
5	11° 00'	147° 30'
6	11° 00'	147° 00'
7	10° 45'	147° 00'
8	10° 45'	146° 45'
9	11° 00'	146° 45'
10	11° 00'	146° 07.5'
11	11° 03.75'	146° 07.5'
12	11° 03.75'	145° 48.75'
13	10° 11.25'	145° 48.75'
14	10° 11.25'	146° 15'
15	10° 22.5'	146° 15'
16	10° 22.5'	146° 32'
17	10° 07.5'	146° 32'
18	10° 07.5'	146° 45'
19	09° 37.5'	146° 45'
20	09° 37.5'	146° 30'
21	09° 22.5'	146° 30'
22	09° 22.5'	146° 00'
23	08° 45'	146° 00'
24	08° 45'	147° 44.8'
25	10° 00'	147° 44.8'
26	10° 00'	148° 30'
27	10° 15'	148° 30'
28	10° 15'	149° 30'
29	10° 45'	149° 30'
30	10° 45'	149° 15'
1	11° 00'	149° 15'
1	15° 39'	132° 55'
2	15° 39'	132° 00'
3	15° 45'	132° 00'
4	15° 45'	131° 00'
5	15° 20'	131° 00'
6	15° 20'	132° 00'
7	14° 40'	132° 00'
8	14° 17.4'	132° 48'
9	14° 17.4'	132° 55'
1	15° 39'	132° 55'

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

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6 January 1988

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
New York, 7-18 December 1987

DECISION ADOPTED ON 17 DECEMBER 1987 BY THE GENERAL COMMITTEE OF THE PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA ON THE APPLICATION OF THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

1. Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea and the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex) and the statement of understanding on the implementation of resolution II of 10 April 1987 (LOS/PCN/L.43/Rev.1), the General Committee, in accordance with rule 14, paragraph 3, of the rules of procedure of the Preparatory Commission, considered the application submitted by the Government of the Union of Soviet Socialist Republics on behalf of the Soviet State enterprise "Yuzhmorgeologiya" for registration as a pioneer investor under resolution II. The General Committee had before it a report of the Group of Technical Experts (LOS/PCN/BUR/R.4) established by the Preparatory Commission to examine the application. In addition, the applicant had released for the consideration of the General Committee excerpts from its application (LOS/PCN/BUR/INF/R.2).

2. The General Committee noted that, in accordance with paragraph 4 of the statement of understanding of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex), the Group of Technical Experts had concluded that the application of the Union of Soviet Socialist Republics had been submitted in conformity with resolution II and, inter alia, the General Committee noted that the Group of Technical Experts concluded that:

(a) The estimated commercial value of the area proposed to be reserved for the Authority may be considered equal to the estimated commercial value of the area proposed to be allocated to the applicant;

/...

(b) The estimated commercial value of the contributed areas in the north-east Pacific Ocean referred to in the report of the Group of Technical Experts as the "central region" may be considered to be equal to the average of the estimated commercial value of the areas identified by the three applicants, namely France, Japan and the Union of Soviet Socialist Republics, for incorporation into their respective areas.

3. The General Committee also notes that the Union of Soviet Socialist Republics, having signed the United Nations Convention on the Law of the Sea on 10 December 1982, as a certifying State, stated that:

(a) The application area is located beyond the limits of national jurisdiction of any State;

(b) The application area is free from overlapping claims;

(c) The applicant agrees to pay the fee of $US 250,000 to the Preparatory Commission as soon as certain administrative arrangements have been made for the transfer of such fees;

(d) The applicant undertakes to comply with the provisions of resolution II of the Third United Nations Conference on the Law of the Sea, including paragraph 12. It will also conduct its pioneer activities in accordance with the relevant provisions of resolution II and the principles relating to the preservation of the marine environment as set out in the United Nations Convention on the Law of the Sea;

(e) The pioneer activities shall be conducted in a manner compatible with the United Nations Convention on the Law of the Sea.

4. The General Committee, having considered the application submitted by the Union of Soviet Socialist Republics, and taking into account the report submitted by the Group of Technical Experts, has noted with appreciation the conclusions reached by the Group of Technical Experts:

(a) That the application submitted by the Union of Soviet Socialist Republics is in conformity with resolution II and the statements contained in documents LOS/PCN/L.41/Rev.1, annex, and LOS/PCN/L.43/Rev.1;

(b) That the area consisting of Sector II (15,000 sq km in the central region), Sector X_1 (8,940 sq km in the central region), Sector X_2 (13,760 sq km in the western region), Sector VI_1 (46,267 sq km in the western region) and Sector VI_2 (48,361 sq km in the western region), with a total of 132,328 sq km (hereinafter referred to as Area A(SU)), be designated as the reserved area;

(c) That the area consisting of Sector III (52,300 sq km in the central region), Sector Y_1 (8,940 sq km in the central region), Sector Y_2 (13,760 sq km in the western region), with a total of 75,000 sq km (hereinafter referred to as Area B(SU)), be designated as the pioneer area to be allocated to the applicant;

/...

(d) That the area consisting of Sectors V_A to V_G, which fall partly in the central and partly in the western region, with a total of 92,672 sq km (hereinafter referred to as Area C(SU)), be the part of the application area to be voluntarily relinquished and to be reserved to form part of the application areas of potential applicants in accordance with LOS/PCN/L.41/Rev.1, annex, paragraphs 9 and 12.

5. The Committee further notes that the list of co-ordinates of Areas A(SU), B(SU) and C(SU) has been deposited with the Secretary-General.

6. Accordingly, the General Committee, taking into account the readiness of the applicant and the certifying State to comply with their obligations under resolution II and the statements contained in documents LOS/PCN/L.41/Rev.1, annex, and LOS/PCN/L.43/Rev.1,

DECIDES:

(a) To designate Area A(SU) as part of the application area which is to be reserved for the conduct of activities by the Authority in the Area through the Enterprise or in association with developing States;

(b) To allocate Area B(SU) as a pioneer area to the applicant, "Yuzhmorgeologiya";

(c) That Area C(SU), which forms part of the application area and is to be voluntarily relinquished simultaneously with registration, be reserved to form part of the application areas of potential applicants in accordance with LOS/PCN/L.41/Rev.1, annex, paragraphs 9 and 12;

(d) To annex the co-ordinates of Areas A(SU), B(SU) and C(SU) hereto;

(e) That a certificate of registration shall be issued to the applicant.

7. The certificate of registration of the application submitted by the Government of the Union of Soviet Socialist Republics on behalf of "Yuzhmorgeologiya" shall record:

(a) The identity of the applicant and of the certifying State;

(b) The date of signature of the Convention by the certifying State;

(c) The date of receipt of the application and any revisions thereto;

(d) The date of the decision for registration as a pioneer investor;

(e) The date of registration as a pioneer investor;

(f) The precise geographical co-ordinates of the area allocated to the applicant as a pioneer area;

/...

(g) The exclusive right of the pioneer investor to carry out pioneer activities in the pioneer area allocated to it under resolution II of the Third United Nations Conference on the Law of the Sea;

(h) The requirements of compliance by the pioneer investor with its obligations under resolution II and the statements contained in documents LOS/PCN/L.41/Rev.1, annex, and LOS/PCN/L.43/Rev.1;

(i) The requirements of compliance by the certifying State with its commitments under resolution II.

8. The General Committee

REQUESTS the Secretary-General of the United Nations:

(a) To inform all the participants of the Preparatory Commission of this decision;

(b) To give due publicity to the co-ordinates of Areas A(SU), B(SU) and C(SU);

(c) To maintain a register for the purpose of registering the pioneer investor and to record the area reserved for the Authority and the area voluntarily relinquished in accordance with LOS/PCN/L.41/Rev.1, annex, paragraphs 9 and 12;

(d) To advise the applicant of the administrative arrangements necessary for the payment of the fee and to prepare and issue to the applicant a certificate of registration.

Annex

CO-ORDINATES OF THE TURNING POINTS OF AREAS A(SU), B(SU) AND C(SU) REFERRED TO IN PARAGRAPH 6 (a), (b) AND (c) OF THIS DECISION

(These co-ordinates previously constituted annex II to the report of the Group of Technical Experts (LOS/PCN/BUR/R.4).)

1. Area A(SU), designated as the area reserved for the conduct of activities by the Authority in the Area through the Enterprise or in association with developing States, is bounded by lines joining the following turning points, the co-ordinates of which are listed below:

Turning points	Latitude (N)	Longitude (W)
1	14° 00'	133° 50'
2	14° 00'	134° 00'
3	14° 21'	134° 00'
4	14° 21'	133° 32'
5	14° 00'	133° 32'
6	14° 00'	133° 15'
7	13° 52'	133° 15'
8	13° 52'	132° 48'
9	14° 17.40'	132° 48'
10	14° 40'	132° 00'
11	13° 34.805'	132° 00'
12	13° 34.805'	133° 50'
1	14° 00'	133° 50'
1	11° 30'	134° 22.648'
2	12° 00'	134° 22.648'
3	12° 00'	134° 35'
4	13° 00'	134° 35'
5	13° 00'	134° 15'
6	12° 30'	134° 15'
7	12° 30'	134° 04'
8	12° 11.60'	134° 04'
9	12° 11.60'	133° 50'
10	11° 30'	133° 50'
1	11° 30'	134° 22.648'
1	11° 00'	145° 00'
2	11° 50'	145° 00'
3	11° 50'	143° 37.90'
4	11° 00'	143° 37.90'
1	11° 00'	145° 00'

/...

Turning points	Latitude (N)	Longitude (W)
1	10° 50'	139° 30'
2	14° 15'	139° 30'
3	14° 15'	138° 22.412'
4	10° 50'	138° 22.412'
1	10° 50'	139° 30'
1	11° 40'	143° 00'
2	12° 00'	143° 00'
3	12° 00'	143° 43.244'
4	12° 50'	143° 43.244'
5	12° 50'	143° 00'
6	12° 19'	143° 00'
7	12° 19'	141° 55'
8	13° 00.066'	141° 55'
9	13° 00.066'	140° 31'
10	13° 45'	140° 31'
11	13° 45'	139° 31'
12	13° 03'	139° 31'
13	13° 03'	139° 46'
14	12° 21'	139° 46'
15	12° 21'	140° 06'
16	12° 44'	140° 06'
17	12° 44'	140° 46'
18	11° 25'	140° 46'
19	11° 25'	141° 25.172'
20	12° 00'	141° 25.172'
21	12° 00'	141° 37'
22	11° 47.375'	141° 37'
23	11° 47.375'	142° 00'
24	11° 40'	142° 00'
1	11° 40'	143° 00'

/...

2. Area B(SU), allocated as a pioneer area to the applicant, "Yuzhmorgeologiya", is bounded by lines joining the following turning points, the co-ordinates of which are listed below:

Turning points	Latitude (N)	Longitude (W)
1	12° 31.10'	133° 30.60'
2	12° 50'	133° 30.60'
3	12° 50'	134° 00'
4	13° 00'	134° 00'
5	13° 00'	134° 35'
6	12° 00'	134° 35'
7	12° 00'	134° 22.648'
8	11° 30'	134° 22.648'
9	11° 30'	134° 45'
10	13° 30'	134° 45'
11	13° 30'	133° 50'
12	13° 34.805'	133° 50'
13	13° 34.805'	132° 00'
14	14° 40'	132° 00
15	14° 40'	131° 30'
16	14° 20'	131° 30'
17	14° 20'	131° 10'
18	13° 45'	131° 10'
19	13° 45'	130° 00'
20	13° 55'	130° 00'
21	13° 55'	129° 10'
22	13° 58'	129° 10'
23	13° 58'	128° 35'
24	14° 45'	128° 35'
25	14° 45'	128° 12.50'
26	14° 37.50'	128° 12.50'
27	14° 37.50'	128° 09.13'
28	14° 15'	128° 09.13'
29	14° 15'	128° 05'
30	14° 00'	128° 05'
31	14° 00'	128° 10'
32	13° 55'	128° 10'
33	13° 55'	128° 15'
34	13° 34.56'	128° 15'

/...

Turning points	Latitude (N)	Longitude (W)
35	13° 34.56'	128° 35'
36	13° 20.20'	128° 35'
37	13° 20.20'	130° 00'
38	13° 20'	130° 00'
39	13° 20'	131° 00'
40	13° 29'	131° 00'
41	13° 29'	132° 15'
42	12° 31.10'	132° 15'
1	12° 31.10'	133° 30.60'
1	10° 50'	143° 00'
2	11° 40'	143° 00'
3	11° 40'	142° 00'
4	11° 47.375'	142° 00'
5	11° 47.375'	141° 37'
6	12° 00'	141° 37'
7	12° 00'	141° 25.172'
8	11° 25'	141° 25.172'
9	11° 25'	141° 55'
10	10° 50'	141° 55'
1	10° 50'	143° 00'

/...

3. Area C(SU), which was voluntarily relinquished simultaneously with registration and is reserved to form part of the application areas of potential applicants in accordance with resolution II and LOS/PCN/L.41/Rev.1, annex, paragraphs 9 and 12, is bounded by lines joining the following turning points, the co-ordinates of which are listed below:

Turning points	Latitude (N)	Longitude (W)
1	12° 00'	130° 39'
2	13° 20'	130° 39'
3	13° 20'	130° 00'
4	13° 20.20'	130° 00'
5	13° 20.20'	128° 35'
6	13° 34.56'	128° 35'
7	13° 34.56'	128° 15'
8	13° 55'	128° 15'
9	13° 55'	128° 10'
10	14° 00'	128° 10'
11	14° 00'	128° 05'
12	14° 15'	128° 05'
13	14° 15'	128° 09.13'
14	14° 37.50'	128° 09.13'
15	14° 37.50'	128° 12.50'
16	14° 45'	128° 12.50'
17	14° 45'	128° 02'
18	13° 00'	128° 02'
19	13° 00'	129° 29'
20	12° 00'	129° 29'
1	12° 00'	130° 39'
1	12° 32'	132° 15'
2	13° 29'	132° 15'
3	13° 29'	131° 00'
4	13° 20'	131° 00'
5	13° 20'	131° 43'
6	12° 32'	131° 43'
1	12° 32'	132° 15'
1	12° 50'	133° 30.60'
2	12° 32'	133° 30.60'
3	12° 32'	133° 32'
4	12° 50'	133° 32'
1	12° 50'	133° 30.60'

/...

Turning points	Latitude (N)	Longitude (W)
1	12° 11.60'	134° 04'
2	12° 30'	134° 04'
3	12° 30'	134° 15'
4	13° 00'	134° 15'
5	13° 00'	134° 00'
6	12° 50'	134° 00'
7	12° 50'	133° 50'
8	12° 11.60'	133° 50'
1	12° 11.60'	134° 04'
1	11° 30'	138° 22.412'
2	13° 02'	138° 22.412'
3	13° 02'	136° 16.262'
4	12° 20.034'	136° 16.262'
5	12° 20.034'	134° 45'
6	11° 30'	134° 45'
1	11° 30'	138° 22.412'

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/108
29 August 1989

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL TRIBUNAL
FOR THE LAW OF THE SEA
New York, 14 August-1 September 1989

DECISION ADOPTED BY THE PREPARATORY COMMISSION AT ITS 50th PLENARY MEETING, HELD ON 14 AUGUST 1989

Taking into account that, pursuant to paragraph 38 of the statement of the Chairman of the Preparatory Commission of 22 March 1989 (LOS/PCN/L.72), the Chairman in intersessional consultations with all interest groups had been able to obtain an agreed mandate for the meeting of the Group of Technical Experts (see annex) and that, on the basis of that mandate, the Group of Technical Experts held its meeting from 7 August to 16 August 1989,

The Preparatory Commission

DECIDES:

(i) To approve the mandate for the meeting of the Group of Technical Experts; and

(ii) To authorize the Secretary-General to pay the travel costs and per diem of the members of the Group and the costs for miscellaneous supplies required by the Group shall be paid out of the special account established for the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea from the registration fees paid by the four pioneer investors.

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Annex

MANDATE OF THE GROUP OF TECHNICAL EXPERTS

A

1. (a) In order to assist the Preparatory Commission in the implementation of obligations of the pioneer investors as set forth in resolution II and in document LOS/PCN/L.41/Rev.1, annex, paragraph 14, the Group of Technical Experts shall prepare for the consideration of the Preparatory Commission a comprehensive plan for the early stages of exploration of one mine site in the area reserved for the Authority in the central zone of the North-East Pacific, with an estimate of the costs involved;

(b) For this purpose, the Group shall review the data and information submitted for the relevant areas by the pioneer investors with their respective applications for registration and deposited with the Secretary-General;

(c) The plan of exploration shall, inter alia, include:

(i) The nature of the activities to be undertaken;

(ii) The data and information to be obtained;

(iii) The costs involved at each stage.

2. In order to facilitate the deliberations of the Preparatory Commission, the Group shall also prepare a comprehensive exploration plan from the first stages of exploration to the stage where a decision for exploitation can be taken. However, if it is not feasible to provide the same level of details and costing for the later stages of exploration then the Group would give reasons for this in its report.

3. Upon completion of its work relating to the exploration referred to above, the Group will be available to assist on matters relating to the training of personnel, taking into account the work done by the Ad Hoc Working Group on Training in Special Commission 2.

B

The Group of Technical Experts constituted under the annex to the statement on the implementation of resolution II (LOS/PCN/L.41/Rev.1) shall be convened prior to the next meeting of the Preparatory Commission. The travel costs and per diem of the members of the Group and costs for miscellaneous supplies and material required by the Group shall be paid out of the special account established for the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea from the registration fees paid by the four pioneer investors.

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

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17 January 1990

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL TRIBUNAL
FOR THE LAW OF THE SEA
Eighth session
Kingston, 5-30 March 1990

LETTER DATED 20 DECEMBER 1989 FROM THE PERMANENT REPRESENTATIVE OF POLAND TO THE UNITED NATIONS ADDRESSED TO THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL FOR THE LAW OF THE SEA

I have the honour to transmit to you the text of a communication of the international organization Interoceanmetal (see annex) which was adopted by the seventh session of the Council of that organization.

I kindly request you to circulate this communication as a document of the Preparatory Commission.

(Signed) Stanislaw PAWLAK
Ambassador
Permanent Representative
of Poland to
the United Nations

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Annex

TEXT OF A COMMUNICATION OF THE INTERNATIONAL ORGANIZATION INTEROCEANMETAL

Starting in 1987, the international organization Interoceanmetal has carried out pioneer activities as described in paragraph 1 (b) of resolution II of the Third United Nations Conference on the Law of the Sea in the international sea-bed area of the North-East Pacific and has expended for that purpose an amount equivalent to more than $US 40 million, including about $US 12 million in activities directly related to the location, survey and evaluation of the area which could be an area referred to in paragraph 3 (a) of resolution II.

Interoceanmetal will continue carrying out such activities.

UNITED
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UNITED NATIONS
CONVENTION ON THE
LAW OF THE SEA

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GENERAL

LOS/PCN/112
21 August 1990
ENGLISH
ORIGINAL: CHINESE

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL TRIBUNAL
FOR THE LAW OF THE SEA
New York, 13-31 August 1990

LETTER DATED 17 AUGUST 1990 FROM THE CHAIRMAN OF THE DELEGATION OF CHINA ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMISSION

I should like to convey, through you, the following information to the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea on behalf of the Government of the People's Republic of China.

Since the mid-1970s the relevant departments of the Chinese Government have conducted surveys and prospecting activities for the mining of polymetallic nodules in the international sea-bed Area of the north-eastern Pacific Ocean. As a result of these activities, certain areas have been delineated for the purpose of registering a mine site with the Preparatory Commission under the régime for pioneer investors contained in resolution II of the Third United Nations Conference on the Law of the Sea.

The People's Republic of China, as a prospective certifying State under resolution II, has already undertaken consultations with certain other prospective certifying States to ensure that the area in respect of which an application is to be made by the People's Republic of China to the Preparatory Commission does not overlap with the areas of other potential applicants.

Having made this effort, the Government of the People's Republic of China considers that it has fully complied with the provisions of paragraph 5 (a) of resolution II and will thereafter proceed, as a certifying State, to submit an

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application for registration as a pioneer investor under the provisions of resolution II.

I should be grateful if you would arrange for this letter to be circulated as an official document of the Preparatory Commission.

(Signed) CHEN Bingxin
Chairman of the delegation of the People's Republic of China to the eighth session (summer session) of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

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LOS/PCN/113
24 August 1990
ENGLISH
ORIGINAL: ENGLISH/CHINESE

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE SEA
New York, 13-31 August 1990

RECEIPT OF APPLICATION FROM THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA FOR REGISTRATION OF THE CHINA OCEAN MINERAL RESOURCES RESEARCH AND DEVELOPMENT ASSOCIATION AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

Note by the Secretary-General

1. In accordance with the procedures and guidelines for registration of pioneer investors under resolution II of the Third United Nations Conference on the Law of the Sea, as contained in annex II of document LOS/PCN/27 dated 8 September 1983, the Secretary-General wishes to inform the Preparatory Commission that on 22 August 1990 the Special Representative of the Secretary-General for the Law of the Sea received from the Permanent Representative of the People's Republic of China to the United Nations a letter dated 20 August 1990, addressed to the Chairman of the Preparatory Commission, submitting on behalf of the China Ocean Mineral Resources Research and Development Association an application to the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea for registration as a pioneer investor under the provisions of resolution II. The texts of the covering letter and of the application submitted are annexed hereto.

2. The application was accompanied by a sealed package said to contain details relating to the application.

3. The Government of the People's Republic of China signed the United Nations Convention on the Law of the Sea on 10 December 1982.

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Annex

Letter dated 20 August 1990 from the Permanent Representative of the People's Republic of China to the United Nations addressed to the Chairman of the Preparatory Commission

Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea and the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex) and the statement of understanding on the implementation of resolution II of 10 April 1987 (LOS/PCN/L.43/Rev.1), I have the honour hereby to submit, on behalf of the Chinese Government, the application to the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea for registration of the China Ocean Mineral Resources Research and Development Association as a pioneer investor and for the allocation of a pioneer area.

(Signed) LI Daoyu
Permanent Representative and Ambassador
Extraordinary and Plenipotentiary of the
People's Republic of China to the
United Nations

20 August 1990, New York

APPLICATION OF THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA FOR REGISTRATION OF THE CHINA OCEAN MINERAL RESOURCES RESEARCH AND DEVELOPMENT ASSOCIATION AS A PIONEER INVESTOR

Contents

Application of the Government of the People's Republic of China for Registration of the China Ocean Mineral Resources Research and Development Association as a Pioneer Investor

Annex I: Certificate of Expenditure Concerning Pioneer Activities

Annex II: General Review of Deep-sea Polymetallic Nodules Resources Survey in China (confidential)

A. Introduction

B. Methods and Means Used for Survey

C. General Features of the Application Area

D. Delineation Plan for the Application Area and Evaluation of the Estimated Values

Annex III: Technical Data for the Application Area, and Figures and Tables (confidential)

Figure 1. Overview map of locations of the application area of China
Scale: 1:10,000,000 (one page, confidential)

Figure 2. Disposition of sectors in the application area of China
Scale: 1:5,000,000 (one page, confidential)

Figure 3. Sea-bed topographic map of the application area of China
Scale: 1:1,000,000 (5 pages, confidential)

Figure 4. Map indicating the distribution of sample locations, grade and abundance of polymetallic nodules in the application area of China
Scale: 1:1,000,000 (5 pages, confidential)

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Contents (continued)

Table 1.	Co-ordinates of the turning-points of the application area of China	(12 pages, confidential)
Table 2.	Statistics of the amounts of polymetallic nodule resources in the application area of China	(2 pages, confidential)
Table 3.	Co-ordinates, metal contents and abundance of polymetallic nodules, and water depths of various stations in China's application area	(13 pages, confidential)
Table 4.	Survey equipment and analytical instruments	(2 pages, confidential)

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APPLICATION OF THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA FOR REGISTRATION OF THE CHINA OCEAN MINERAL RESOURCES RESEARCH AND DEVELOPMENT ASSOCIATION AS A PIONEER INVESTOR

1. The People's Republic of China signed the United Nations Convention on the Law of the Sea on 10 December 1982.

2. Since the mid-1970s, exploration for mineral resources on the deep-sea bed has been conducted by several departments of China concerned and a national programme has been established for the survey, research and development of the deep-sea polymetallic nodule resources. Scores of survey cruises for polymetallic nodules in the Equatorial Pacific Ocean, Central Pacific Ocean Basin and eastern Pacific Ocean Basin have been carried out by R/Vs "Xiangyanghong 5", "Xiangyanghong 16" and "Haiyang 4" with a total surveyed area of more than 2,000,000 km^2. The total expenditure incurred was more than 180 million yuan renminbi (about $US 60 million). An application area totalling 300,000 km^2 has been delineated in the Pacific area between 7°-13°N, 138°-157°W, in accordance with the following indexes: (a) a mean sea-bed nodule abundance greater than 5 kg/m^2; (b) nodule grade (content of copper, nickel and cobalt combined) greater than 1.8 per cent; and (c) sea-bed slope less than 5°. The application area is of sufficient estimated commercial value to allow two mining operations.

3. China is comparatively rich in land-based mineral resources, but its per capita possession of mineral resources is much lower than that of the world average. In order to meet national economic development requirements, a portion of the manganese, copper, cobalt, etc. needed by the country is being imported. The reason for China's application regarding the said international sea-bed areas is to develop, under the principles set out in the United Nations Convention on the Law of the Sea, new sources of mineral resources so as to meet part of the country's need, and also to make a contribution to the whole of mankind in the exploitation of the international sea-bed.

4. Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea and the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex) and the statement of understanding on the implementation of resolution II of 10 April 1987 (LOS/PCN/L.43/Rev.1), the Chinese Government submits, on behalf of the China Ocean Mineral Resources Research and Development Association, hereinafter referred to as COMRA, the application to the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea for registration as a pioneer investor and for the allocation of a pioneer area.

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Applicant:

(a) Name: China Ocean Mineral Resources Research and Development Association (COMRA)

(b) Mailing Address: 1 Fuxingmenwai Ave.
Beijing 100860, China

(c) Telephone: (01) 867283

(d) Telex: 22536 NBO CN

5. COMRA is a state-owned enterprise. It has been sufficiently supported and efficiently controlled by the State Oceanic Administration, Ministry of Geology and Mineral Resources, Ministry of Metallurgical Industry and China National Nonferrous Metals Industry Corporation.

6. The People's Republic of China as a certifying State ensures that the areas in respect of which application is made do not overlap with pioneer areas and reserved areas already delineated or with those claimed by the pioneer investors referred to in paragraph 1 (a) (ii) of resolution II of the Third United Nations Conference on the Law of the Sea. China has taken steps to make sure that the application area does not overlap with the areas claimed by the already known potential pioneer investors.

7. The application area is a part of the international sea-bed area as defined in article I, paragraph 1, of the United Nations Convention on the Law of the Sea and is beyond the limits of national jurisdiction of any State. The Government of the People's Republic of China shall ensure that the pioneer activities are conducted in a manner compatible with the United Nations Convention on the Law of the Sea.

8. The application area of China covers a total of 300,000 km^2, but this is not a single, continuous area. It consists of three areas referred to as Area CA, Area CB and Area CS respectively.

(1) Area CA, consisting of 5 sectors: CA_1 (43,266 km^2), CA_2 (7,591 km^2), CA_3 (2,370 km^2), CA_4 (20,231 km^2) and CA_5 (76,542 km^2), and totalling 150,000 km^2, is to be reserved for the Authority.

(2) Area CB, consisting of 5 sectors: CB_1 (21,253 km^2), CB_2 (25,428 km^2), CB_3 (6,831 km^2), CB_4 (17,269 km^2) and CB_5 (26,919 km^2), and totalling 97,700 km^2, is hoped to be allocated to the applicant as a part of the pioneer area of 150,000 km^2.

(3) Area CS, consisting of 3 sectors CS_1 (23,616 km^2), CS_2 (4,934 km^2) and CS_3 (23,750 km^2), and totalling 52,300 km^2, should be designated as the pioneer area for incorporation in the total area of 150,000 km^2 to be allocated to the applicant in accordance with the statement on the

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implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex), the statement of understanding on the implementation of resolution II of 10 April 1987 (LOS/PCN/L.43/Rev.1), the Report of the Group of Technical Experts to the General Committee of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea on the application of the Government of the Republic of India for registration as a pioneer investor under resolution II of the Third United Nations Conference on the Law of the Sea (LOS/PCN/BUR/R1) and the Decision adopted on 17 August 1987 by the General Committee of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea on the application of the Government of India as a pioneer investor under resolution II (LOS/PCN/94).

9. The People's Republic of China as a certifying State states that COMRA agrees to make the payment of $US 250,000 as the fee for registration as a pioneer investor and for the allocation of a pioneer area as soon as the applicant is advised by the Preparatory Commission.

10. The applicant undertakes to comply with the provisions of resolution II of the Third United Nations Conference on the Law of the Sea, including paragraph 12. It will also conduct its pioneer activities in accordance with the relevant provisions of resolution II and with the principles relating to the preservation of the marine environment as set out in the United Nations Convention on the Law of the Sea.

11. The data and information referred to in paragraph 3 (a) of resolution II are attached to this Application in a sealed envelope because of their confidential character.

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ANNEX I

CERTIFICATE OF EXPENDITURE CONCERNING PIONEER ACTIVITIES

This is to certify that the total expenditure incurred up to 31 December 1984 by the China Ocean Mineral Resources Research and Development Association in pioneer activities as defined in paragraph 1 (b) of resolution II of the Third United Nations Conference on the Law of the Sea is more than $US 30 million (calculated in constant dollars relative to 1982) and more than 10 per cent of this expenditure has been expended in the location, survey and evaluation of the area referred to in paragraph 3 (a) of resolution II.

YAN Hongmo
Administrator
State Oceanic
Administration of China

Beijing, China

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/115
30 August 1990

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE SEA
New York, 13-31 August 1990

DECISION ADOPTED BY THE GENERAL COMMITTEE ON BEHALF OF THE PREPARATORY COMMISSION CONCERNING THE APPLICATION SUBMITTED BY THE PEOPLE'S REPUBLIC OF CHINA ON BEHALF OF THE CHINA OCEAN MINERAL RESOURCES RESEARCH AND DEVELOPMENT ASSOCIATION (COMRA) FOR REGISTRATION AS PIONEER INVESTOR

The Preparatory Commission, having received on 22 August 1990 an application from the People's Republic of China on behalf of the China Ocean Mineral Resources Research and Development Association for registration as a pioneer investor under resolution II of the Third United Nations Conference on the Law of the Sea,

DECIDES:

1. To convene a meeting of the Group of Technical Experts to examine and report to the General Committee on said application, in accordance with the provisions of document LOS/PCN/L.41/Rev.1 of 5 September 1986, for a period not exceeding one week from 10 to 14 December 1990 in New York;

2. To authorize the Secretary-General to pay the travel costs and per diem of the members of the Group of Technical Experts and other incidental expenditures related to the processing and registration of the application out of the special account established for the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea from the registration fees paid by the pioneer investors. The expenditures incurred for the registration of the application submitted by China are to be charged against the fees to be paid by China for such registration as required under resolution II;

3. To convene the General Committee of the Preparatory Commission during its ninth session to be held at Kingston in February-March 1991 in order to consider the application for registration as a pioneer investor submitted by China, taking into account the report and the recommendations of the Group of Technical Experts.

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UNITED
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UNITED NATIONS
CONVENTION ON THE
LAW OF THE SEA

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LOS/PCN/117
7 March 1991

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE SEA
Ninth session
Kingston, Jamaica
25 February-22 March 1991

DECISION ADOPTED ON 5 MARCH 1991 BY THE GENERAL COMMITTEE OF THE PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA ON THE APPLICATION SUBMITTED BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA FOR REGISTRATION OF THE CHINA OCEAN MINERAL RESOURCES RESEARCH AND DEVELOPMENT ASSOCIATION AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

1. Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea and the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex), the General Committee, in accordance with rule 14, paragraph 3, of the rules of procedure of the Preparatory Commission, has considered the application submitted by the Government of the People's Republic of China for registration of the China Ocean Mineral Resources Research and Development Association as a pioneer investor under resolution II of the Third United Nations Conference on the Law of the Sea. The General Committee had before it a report of the Group of Technical Experts (LOS/PCN/BUR/R.7) established by the Preparatory Commission to examine the application. In addition, the applicant had released for the consideration of the General Committee the formal part of its application (LOS/PCN/BUR/INF/R.9).

2. The General Committee noted that, in accordance with paragraph 4 of the statement of understanding of 5 September 1986 (document LOS/PCN/L.41/Rev.1, annex), the Group of Technical Experts had determined that the application of the Government of the People's Republic of China was in conformity with resolution II, in particular with the principle of equal estimated commercial value, subject to the guidelines and procedures set forth in the above-mentioned statement of understanding.

3. The General Committee has also noted that in the application submitted by the Government of the People's Republic of China, the following declarations have been made:

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"The People's Republic of China signed the United Nations Convention on the Law of the Sea on 10 December 1982."

"The application area is a part of the international sea-bed area as defined in article I, paragraph 1, of the United Nations Convention on the Law of the Sea and is beyond the limits of national jurisdiction of any State. The Government of the People's Republic of China shall ensure that the pioneer activities are conducted in a manner compatible with the United Nations Convention on the Law of the Sea."

"The People's Republic of China as a certifying State ensures that the areas in respect of which application is made do not overlap with pioneer areas and reserved areas already delineated or with those claimed by the pioneer investors referred to in paragraph 1 (a) (ii) of resolution II of the Third United Nations Conference on the Law of the Sea. China has taken steps to make sure that the application area does not overlap with the areas claimed by the already known potential pioneer investors."

"The People's Republic of China as a certifying State states that the China Ocean Mineral Resources Research and Development Association (COMRA) agrees to make the payment of US$250,000 as the fee for registration as a pioneer investor and for the allocation of a pioneer area as soon as the applicant is advised by the Preparatory Commission."

"The applicant undertakes to comply with the provisions of resolution II of the Third United Nations Conference on the Law of the Sea, including paragraph 12. It will also conduct its pioneer activities in accordance with the relevant provisions of resolution II and with the principles relating to the preservation of the marine environment as set out in the United Nations Convention on the Law of the Sea."

4. The General Committee, having considered the application of the People's Republic of China, taking into account the report submitted by the Group of Technical Experts, has noted with appreciation the conclusions reached by the Group of Technical Experts:

(a) That the application submitted by the People's Republic of China on behalf of the China Ocean Mineral Resources Research and Development Association has been submitted in accordance with resolution II and the understanding contained in document LOS/PCN/L.41/Rev.1;

(b) That areas (S and B) and (A and C) in the application submitted by the People's Republic of China on behalf of the China Ocean Mineral Resources Research and Development Association are of equal estimated commercial value.

5. The Committee further notes that the list of co-ordinates of areas (S and B) and (A and C) has been deposited with the Secretary-General.

6. Accordingly, the General Committee, taking into account the readiness of the applicant and the certifying State to comply with their obligations under resolution II and the above-mentioned statement of understanding,

DECIDES:

(a) To designate area A, referred to above as area (A and C), as the part of the application area which is to be reserved for the conduct of activities by the Authority in the Area through the Enterprise or in association with developing States;

(b) To allocate area B, referred to above as area (S and B), as a pioneer area to the applicant, the China Ocean Mineral Resources Research and Development Association;

(c) To annex the co-ordinates of areas A and B hereto;

(d) That a certificate of registration shall be issued to the applicant.

7. The certificate of registration of the application submitted by the Government of the People's Republic of China on behalf of the China Ocean Mineral Resources Research and Development Association shall record:

(a) The identity of the applicant and of the certifying State;

(b) The date of signature of the Convention by the certifying State;

(c) The date of receipt of the application;

(d) The date of the decision for registration as a pioneer investor;

(e) The date of registration as a pioneer investor;

(f) The precise geographical co-ordinates of the area allocated to the applicant as a pioneer area;

(g) The exclusive right of the pioneer investor to carry out pioneer activities in the pioneer area allocated to it under resolution II of the Third United Nations Conference on the Law of the Sea;

(h) The requirements of compliance by the pioneer investor with its obligations under resolution II and the above-mentioned statement of understanding;

(i) The requirements of compliance by the certifying State with its commitments under resolution II.

8. The General Committee

REQUESTS the Secretary-General of the United Nations:

(a) To inform all participants of the Preparatory Commission of this decision;

(b) To give due publicity to the co-ordinates of areas A and B;

(c) To maintain a register for the purpose of registering the pioneer investor and to record the reserved area;

(d) To advise the applicant of the administrative arrangements necessary for the payment of fee and to prepare and issue to the applicant a certificate of registration.

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Annex

CO-ORDINATES OF THE TURNING POINTS OF AREAS A AND B REFERRED TO IN PARAGRAPH 6(a) AND (b) OF THIS DECISION

(These co-ordinates previously constituted annex II to the report of the Group of Technical Experts (LOS/PCN/BUR/R.7).)

1. Area A, designated as the reserved area for conduct of activities by the Authority in the Area through the Enterprise or in association with developing States, is bounded by lines joining the following turning points, the co-ordinates of which are listed below:

TURNING POINTS	LATITUDE (N)	LONGITUDE (W)
A1-1	10°37.50'	156°52.50'
A1-2	10°37.50'	156°22.50'
A1-3	10°52.50'	156°22.50'
A1-4	10°52.50'	156°07.50'
A1-5	10°22.50'	156°07.50'
A1-6	10°22.50'	155°52.50'
A1-7	10°07.50'	155°52.50'
A1-8	10°07.50'	156°07.50'
A1-9	09°52.50'	156°07.50'
A1-10	09°52.50'	155°07.50'
A1-11	10°07.50'	155°07.50'
A1-12	10°07.50'	155°37.50'
A1-13	10°37.50'	155°37.50'
A1-14	10°37.50'	155°52.50'
A1-15	11°07.50'	155°52.50'
A1-16	11°07.50'	154°37.50'
A1-17	10°52.50	154°37.50'
A1-18	10°52.50'	154°52.50'
A1-19	09°07.50'	154°52.50'
A1-20	09°07.50'	155°07.50'
A1-21	09°22.50'	155°07.50'
A1-22	09°22.50'	155°22.50'
A1-23	09°07.50'	155°22.50'
A1-24	09°07.50'	155°37.50'
A1-25	09°22.50'	155°37.50'
A1-26	09°22.50'	155°52.50'
A1-27	09°07.50'	155°52.50'
A1-28	09°07.50'	156°22.50'
A1-29	08°37.50'	156°22.50'
A1-30	08°37.50'	156°07.50'
A1-31	07°52.50'	156°07.50'
A1-32	07°52.50'	156°37.50'
A1-33	08°37.50'	156°37.50'
A1-34	08°37.50'	156°52.50'

TURNING POINTS	LATTITUDE (N)	LONGITUDE (W)
A1-35	09°52.50'	156°52.50'
A1-36	09°52.50'	156°22.50'
A1-37	10°07.50'	156°22.50'
A1-38	10°07.50'	156°52.50'
A1-1	10°37.50'	156°52.50'
A2-1	12°22.50'	145°52.50'
A2-2	12°22.50	145°37.50'
A2-3	12°37.50'	145°37.50'
A2-4	12°37.50'	145°22.50'
A2-5	12°22.50'	145°22.50'
A2-6	12°22.50'	145°07.50'
A2-7	12°07.50'	145°07.50'
A2-8	12°07.50'	144°37.50'
A2-9	11°52.50'	144°37.50'
A2-10	11°52.50'	145°37.50'
A2-11	11°37.50'	145°37.50'
A2-12	11°37.50'	145°52.50'
A2-1	12°22.50'	145°52.50'
A3-1	12°42.50'	142°30.00'
A3-2	12°42.50'	142°10.00'
A3-3	12°52.50'	142°10.00'
A3-4	12°52.50'	141°55.00'
A3-5	12°19.00'	141°55.00'
A3-6	12°19.00'	142°10.00'
A3-7	12°32.50'	142°10.00'
A3-8	12°32.50'	142°30.00'
A3-1	12°42.50'	142°30.00'
A4-1	12°44.00'	140°46.00'
A4-2	12°44.00'	140°06.00'
A4-3	12°22.50'	140°06.00'
A4-4	12°22.50'	140°22.50'
A4-5	11°37.50'	140°22.50'
A4-6	11°37.50'	139°52.50'
A4-7	12°21.00'	139°52.50'
A4-8	12°21.00'	139°46.00'
A4-9	12°39.87'	139°46.00'
A4-10	12°39.87'	139°30.00'
A4-11	11°07.50'	139°30.00'
A4-12	11°07.50'	140°07.50'
A4-13	11°22.50'	140°07.50'
A4-14	11°22.50'	140°22.50'
A4-15	11°07.50'	140°22.50'

/...

TURNING POINTS	LATITUDE (N)	LONGITUDE (W)
A4-16	11°07.50'	140°52.50'
A4-17	10°37.50'	140°52.50'
A4-18	10°37.50'	140°22.50'
A4-19	10°22.50'	140°22.50'
A4-20	10°22.50'	141°07.50'
A4-21	10°07.50'	141°07.50'
A4-22	10°07.50'	140°52.50'
A4-23	09°52.50'	140°52.50'
A4-24	09°52.50'	140°37.50'
A4-25	10°07.50'	140°37.50'
A4-26	10°07.50'	139°37.50'
A4-27	10°22.50'	139°37.50'
A4-28	10°22.50'	140°07.50'
A4-29	10°50.00'	140°07.50'
A4-30	10°50.00'	139°22.50'
A4-31	10°07.50'	139°22.50'
A4-32	10°07.50'	139°07.50'
A4-33	10°37.50'	139°07.50'
A4-34	10°37.50'	139°01.58'
A4-35	10°50.00'	139°01.58'
A4-36	10°50.00'	138°37.50'
A4-37	10°07.50'	138°37.50'
A4-38	10°07.50'	138°52.50'
A4-39	09°52.50'	138°52.50'
A4-40	09°52.50'	138°37.50'
A4-41	09°37.50'	138°37.50'
A4-42	09°37.50'	139°22.50'
A4-43	09°22.50'	139°22.50'
A4-44	09°22.50'	139°07.50'
A4-45	09°07.50'	139°07.50'
A4-46	09°07.50'	138°22.50'
A4-47	08°52.50'	138°22.50'
A4-48	08°52.50'	139°22.50'
A4-49	08°37.50'	139°22.50'
A4-50	08°37.50'	139°37.50'
A4-51	09°07.50'	139°37.50'
A4-52	09°07.50'	140°07.50'
A4-53	09°37.50'	140°07.50'
A4-54	09°37.50'	140°52.50'
A4-55	09°22.50'	140°52.50'
A4-56	09°22.50'	140°37.50'
A4-57	09°07.50'	140°37.50'
A4-58	09°07.50'	140°22.50'
A4-59	08°52.50'	140°22.50'
A4-60	08°52.50'	139°52.50'
A4-61	08°37.50'	139°52.50'
A4-62	08°37.50'	140°07.50'
A4-63	08°22.50'	140°07.50'
A4-64	08°22.50'	139°52.50'
A4-65	08°07.50'	139°52.50'
A4-66	08°07.50'	140°07.50'

/...

TURNING POINTS	LATITUDE (N)	LONGITUDE (W)
A4-67	07°52.50'	140°07.50'
A4-68	07°52.50'	141°22.50'
A4-69	07°37.50'	141°22.50'
A4-70	07°37.50'	141°37.50'
A4-71	08°07.50'	141°37.50'
A4-72	08°07.50'	141°22.50'
A4-73	08°22.50'	141°22.50'
A4-74	08°22.50'	141°52.50'
A4-75	08°37.50'	141°52.50'
A4-76	08°37.50'	141°37.50'
A4-77	09°37.50'	141°37.50'
A4-78	09°37.50'	141°22.50'
A4-79	09°52.50'	141°22.50'
A4-80	09°52.50'	142°15.00'
A4-81	10°07.50'	142°15.00'
A4-82	10°07.50'	141°37.50'
A4-83	10°22.50'	141°37.50'
A4-84	10°22.50'	142°15.00'
A4-85	10°37.50'	142°15.00'
A4-86	10°37.50'	141°52.50'
A4-87	10°52.50'	141°52.50'
A4-88	10°52.50'	141°07.50'
A4-89	11°07.50'	141°07.50'
A4-90	11°07.50'	141°37.50'
A4-91	11°25.00'	141°37.50'
A4-92	11°25.00'	140°46.00'
A4-93	11°37.50'	140°46.00'
A4-94	11°37.50'	140°37.50'
A4-95	12°22.50'	140°37.50'
A4-96	12°22.50'	140°46.00'
A4-1	12°44.00'	140°46.00'.

/...

2. Area B, allocated as a pioneer area to the applicant, "China Ocean Mineral Resources Research and Development Association" (COMRA), is bounded by lines joining the following points, the co-ordinates of which are listed below:

TURNING POINTS	LATTITUDE (N)	LONGITUDE (W)
B1-1	10°52.50'	154°52.50'
B1-2	10°52.50'	154°22.50'
B1-3	11°07.50'	154°22.50'
B1-4	11°07.50'	154°07.50'
B1-5	10°52.50'	154°07.50'
B1-6	10°52.50'	153°52.50'
B1-7	10°22.50'	153°52.50'
B1-8	10°22.50'	153°37.50'
B1-9	10°07.50'	153°37.50'
B1-10	10°07.50'	153°22.50'
B1-11	09°37.50'	153°22.50'
B1-12	09°37.50'	153°07.50'
B1-13	09°22.50'	153°07.50'
B1-14	09°22.50'	152°52.50'
B1-15	09°37.50'	152°52.50'
B1-16	09°37.50'	152°37.50'
B1-17	09°52.50'	152°37.50'
B1-18	09°52.50'	152°54.83'
B1-19	10°07.50'	152°54.83'
B1-20	10°07.50'	152°37.50'
B1-21	10°22.50'	152°37.50'
B1-22	10°22.50'	152°52.50'
B1-23	10°37.50'	152°52.50'
B1-24	10°37.50'	153°22.50'
B1-25	10°52.50'	153°22.50'
B1-26	10°52.50'	152°22.50'
B1-27	11°22.50'	152°22.50'
B1-28	11°22.50'	151°52.50'
B1-29	11°07.50'	151°52.50'
B1-30	11°07.50'	152°07.50'
B1-31	10°22.50'	152°07.50'
B1-32	10°22.50'	151°22.50'
B1-33	10°52.50'	151°22.50'
B1-34	10°52.50'	151°07.50'
B1-35	09°52.50'	151°07.50'
B1-36	09°52.50'	151°37.50'
B1-37	09°37.50'	151°37.50'
B1-38	09°37.50'	151°07.50'
B1-39	09°10.00'	151°07.50'
B1-40	09°10.00'	151°52.50'
B1-41	09°22.50'	151°52.50'
B1-42	09°22.50'	152°22.50'
B1-43	09°10.00'	152°22.50'
B1-44	09°10.00'	152°55.20'
B1-45	08°52.50'	152°55.20'
B1-46	08°52.50'	153°37.50'
B1-47	09°07.50'	153°37.50'
B1-48	09°07.50'	153°52.50'
B1-49	08°52.50'	153°52.50'

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TURNING POINTS	LATTITUDE (N)	LONGITUDE (W)
B1-50	08°52.50'	154°00.00'
B1-51	08°37.50'	154°00.00'
B1-52	08°37.50'	154°37.50'
B1-53	08°22.50'	154°37.50'
B1-54	08°22.50'	154°52.50'
B1-55	08°52.50'	154°52.50'
B1-56	08°52.50'	154°37.50'
B1-57	09°07.50'	154°37.50'
B1-58	09°07.50'	154°52.50'
B1-1	10°52.50'	154°52.50'
B2-1	08°52.50'	148°52.50'
B2-2	08°52.50'	148°22.50'
B2-3	08°37.50'	148°22.50'
B2-4	08°37.50'	147°22.50'
B2-5	08°45.00'	147°22.50'
B2-6	08°45.00'	146°00.00'
B2-7	08°30.00'	146°00.00'
B2-8	08°30.00'	146°07.50'
B2-9	08°37.50'	146°07.50'
B2-10	08°37.50'	146°22.50'
B2-11	08°07.50'	146°22.50'
B2-12	08°07.50'	146°07.50'
B2-13	07°52.50'	146°07.50'
B2-14	07°52.50'	145°37.50'
B2-15	08°07.50'	145°37.50'
B2-16	08°07.50'	145°52.50'
B2-17	08°30.00'	145°52.50'
B2-18	08°30.00'	145°30.00'
B2-19	08°37.50'	145°30.00'
B2-20	08°37.50'	145°07.50'
B2-21	08°22.50'	145°07.50'
B2-22	08°22.50'	144°22.50'
B2-23	07°52.50'	144°22.50'
B2-24	07°52.50'	143°52.50'
B2-25	08°07.50'	143°52.50'
B2-26	08°07.50'	143°37.50'
B2-27	08°22.50'	143°37.50'
B2-28	08°22.50'	143°22.50'
B2-29	08°52.50'	143°22.50'
B2-30	08°52.50'	144°07.50'
B2-31	08°37.50'	144°07.50'
B2-32	08°37.50'	144°22.50'
B2-33	08°52.50'	144°22.50'
B2-34	08°52.50'	145°21.95'
B2-35	09°07.50'	145°21.95'
B2-36	09°07.50'	143°52.50'
B2-37	09°22.50'	143°52.50'
B2-38	09°22.50'	144°22.50'

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TURNING POINTS	LATITUDE (N)	LONGITUDE (W)
B2-39	09°37.50'	144°22.50'
B2-40	09°37.50'	143°52.50'
32-41	09°52.50'	143°52.50'
B2-42	09°52.50'	144°00.00'
B2-43	10°00.00'	144°00.00'
B2-44	10°00.00'	143°45.00'
B2-45	09°15.00'	143°45.00'
B2-46	09°15.00'	142°45.00'
B2-47	09°22.50'	142°45.00'
B2-48	09°22.50'	142°22.50'
B2-49	09°07.50'	142°22.50'
B2-50	09°07.50'	142°07.50'
B2-51	09°37.50'	142°07.50'
B2-52	09°37.50'	141°52.50'
B2-53	08°22.50'	141°52.50'
B2-54	08°22.50'	141°22.50'
B2-55	08°07.50'	141°22.50'
B2-56	08°07.50'	141°37.50'
B2-57	07°52.50'	141°37.50'
B2-58	07°52.50'	142°07.50'
B2-59	08°07.50'	142°07.50'
B2-60	08°07.50'	142°52.50'
B2-61	07°52.50'	142°52.50'
B2-62	07°52.50'	142°27.83'
B2-63	07°22.50'	142°27.83'
B2-64	07°22.50'	142°37.50'
B2-65	07°37.50'	142°37.50'
B2-66	07°37.50'	143°07.50'
B2-67	07°22.50'	143°07.50'
B2-68	07°22.50'	143°52.50'
B2-69	07°37.50'	143°52.50'
B2-70	07°37.50'	144°52.50'
B2-71	07°22.50'	144°52.50'
B2-72	07°22.50'	145°07.50'
B2-73	08°07.50'	145°07.50'
B2-74	08°07.50'	145°22.50'
B2-75	07°37.50'	145°22.50'
B2-76	07°37.50'	146°37.50'
B2-77	07°52.50'	146°37.50'
B2-78	07°52.50'	146°52.50'
B2-79	08°22.50'	146°52.50'
B2-80	08°22.50'	147°52.50'
B2-81	08°07.50'	147°52.50'
B2-82	08°07.50'	148°22.50'
B2-83	08°22.50'	148°22.50'
B2-84	08°22.50'	148°37.50'
B2-85	08°37.50'	148°37.50'
B2-86	08°37.50'	148°52.50'
B2-1	08°52.50'	148°52.50'

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/118
13 March 1991

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE SEA
Ninth session
Kingston, Jamaica
25 February-22 March 1991

RECEIPT OF APPLICATION FROM THE GOVERNMENTS OF THE REPUBLIC OF BULGARIA, THE REPUBLIC OF CUBA, THE CZECH AND SLOVAK FEDERAL REPUBLIC, THE REPUBLIC OF POLAND AND THE UNION OF SOVIET SOCIALIST REPUBLICS FOR REGISTRATION OF THE INTEROCEANMETAL JOINT ORGANIZATION AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

Note by the Secretary-General

1. In accordance with the procedures and guidelines for registration of pioneer investors under resolution II of the Third United Nations Conference on the Law of the Sea, as contained in annex II of document LOS/PCN/27 dated 8 September 1983, the Secretary-General wishes to inform the Preparatory Commission that on 8 March 1991 the Special Representative of the Secretary-General for the Law of the Sea received from the Permanent Representative of the Republic of Poland to the United Nations a letter dated 4 March 1991, addressed to the Chairman of the Preparatory Commission, submitting on behalf of the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics an application to the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea for registration of the Interoceanmetal Joint Organization as a pioneer investor under the provisions of resolution II. The texts of the covering letter and of the application submitted are annexed hereto.

2. The application was accompanied by three sealed packages said to contain details relating to the application.

Annex

Letter dated 4 March 1991 from the Permanent Representative of the Republic of Poland to the United Nations addressed to the Chairman of the Preparatory Commission

Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea and the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex) and the statement of understanding on the implementation of resolution II of 10 April 1987 (LOS/PCN/L.43/Rev.1), I have the honour hereby to submit on behalf of the Governments of the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics as certifying States, the application to the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea for registration of the Interoceanmetal Joint Organization as a pioneer investor and for the allocation of a pioneer area.

(Signed) Stanislaw PAWLAK
Permanent Representative and Ambassador
Extraordinary and Plenipotentiary of the
Republic of Poland to the
United Nations

APPLICATION OF THE GOVERNMENTS OF THE REPUBLIC OF BULGARIA, THE REPUBLIC OF CUBA, THE CZECH AND SLOVAK FEDERAL REPUBLIC, THE REPUBLIC OF POLAND AND THE UNION OF SOVIET SOCIALIST REPUBLICS FOR REGISTRATION OF THE INTEROCEANMETAL JOINT ORGANIZATION AS A PIONEER INVESTOR

1. The Republic of Poland, acting on behalf of the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics, as certifying States, submits the application of the Interoceanmetal Joint Organization for registration as a pioneer investor and for the allocation of a pioneer area.

2. This application is submitted in accordance with resolution II of the Third United Nations Conference on the Law of the Sea and with decisions of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea, adopted on 5 September 1986 (LOS/PCN/L.41/Rev.1) and on 10 April 1987 (LOS/PCN/L.43/Rev.1).

Applicant:

(a) Name: Interoceanmetal Joint Organization (IOM)

(b) Mailing Address: ul. Poludniowa 3
70-001 Szczecin
POLAND

(c) Telephone: 82 41 61

(d) Telex: 422826 iom pl

3. Interoceanmetal Joint Organization (referred to hereinafter as "Interoceanmetal" (IOM)) was founded in 1987 on the basis of an intergovernmental agreement between Bulgaria, Cuba, Czechoslovakia, the former German Democratic Republic, Poland, the Union of Soviet Socialist Republics and Viet Nam. However, in 1990 Viet Nam left the agreement. Due to the unification of the Federal Republic of Germany and the German Democratic Republic, the participation of the former German Democratic Republic in "Interoceanmetal" (IOM) has been suspended. "Interoceanmetal" is now an enterprise efficiently controlled by the Governments of the certifying States.

4. The certifying States ensure that the areas in respect of which the application is made do not overlap with pioneer areas and reserved areas already delineated or with those claimed by the pioneer investors referred to in paragraph 1 (a) (ii) of resolution II of the Third United Nations Conference on the Law of the Sea. The certifying States have taken steps to make sure that the application area does not overlap with the areas claimed by the already known potential pioneer investors.

5. The application area is a part of the international sea-bed area and is beyond the limits of national jurisdiction of any State.

6. The submitted application area covers a total of 300,000 sq km. The application area is of sufficient estimated commercial value to allow two mining operations.

7. In accordance with the decision of the Preparatory Commission on the implementation of resolution II contained in document LOS/PCN/L.41/Rev.1 of 11 September 1986 the coordinates of the following areas are indicated in the submitted application in addition to the general coordinates of the application area:

(a) the sectors A1 (83,173 sq km) and A2 (66,827 sq km) totalling 150,000 sq km are to be reserved for the Authority;

(b) the sector B4 (52,300 sq km) should be designated as the pioneer area for incorporation in total area of 150,000 sq km to be allocated to the applicant in accordance with the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex), the statement of understanding on the implementation of resolution II of 10 April 1987 (LOS/PCN/L.43/Rev.1), the report of the Group of Technical Experts to the General Committee of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea on the Government of the Republic of India for registration as a pioneer investor under resolution II of the Third United Nations Conference on the Law of the Sea (LOS/PCN/BUR/R.1) and the decision adopted on 17 August 1987 by the General Committee on the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea on the application of the Government of India as a pioneer investor under resolution II (LOS/PCN/94);

(c) the sector B1 (38,822 sq km), B2, consisting of the subsectors $B2_1$, $B2_2$ and $B2_3$ (31,995 sq km), and B3 (26,883 sq km), totalling 97,700 sq km, are hoped to be allocated to the applicant as a part of the pioneer area of 150,000 sq km.

8. The certifying States signed the United Nations Convention on the Law of the Sea on 10 December 1982.

9. The certificate of the level of expenditure made by "Interoceanmetal" (IOM) as a pioneer investor and its predecessors for the purposes specified in paragraph 1 (a) of resolution II had been circulated as document LOS/PCN/109 of 17 January 1990.

10. The certifying States declare that "Interoceanmetal" (IOM) will make the payment of $US 250,000 as the fee for registration as a pioneer investor and for the allocation of a pioneer area as soon as the applicant is advised by the Preparatory Commission.

11. In case of registration of "Interoceanmetal" (IOM) as a pioneer investor, "Interoceanmetal" (IOM) undertakes to conduct its pioneer activities in accordance with the provisions of resolution II, as interpreted and applied by the Preparatory Commission, in particular in the understanding of the fulfilment of obligations by the registered pioneer investors and their certifying States (LOS/PCN/L.87).

12. The data and information referred to in paragraph 3 of resolution II and in the annex to document LOS/PCN/27 of 8 September 1983 are attached to this application in a sealed envelope because of their confidential character.

UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
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LOS/PCN/120
21 March 1991

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Ninth session
Kingston, Jamaica
25 February-22 March 1991

DECISION ADOPTED BY THE GENERAL COMMITTEE ON BEHALF OF THE PREPARATORY COMMISSION CONCERNING THE APPLICATION SUBMITTED BY THE REPUBLIC OF BULGARIA, THE REPUBLIC OF CUBA, THE CZECH AND SLOVAK FEDERAL REPUBLIC, THE REPUBLIC OF POLAND AND THE UNION OF SOVIET SOCIALIST REPUBLICS FOR REGISTRATION OF THE INTEROCEANMETAL JOINT ORGANIZATION AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

The Preparatory Commission, having received on 8 March 1991 an application from the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics on behalf of the Interoceanmetal Joint Organization for registration as a pioneer investor under resolution II of the Third United Nations Conference on the Law of the Sea,

DECIDES:

1. To convene a meeting of the Group of Technical Experts to examine and report to the General Committee on said application, in accordance with the provisions of document LOS/PCN/L.41/Rev.1 of 5 September 1986, for a period not exceeding one week before the beginning of the next session of the Preparatory Commission;

2. To authorize the Secretary-General to pay the travel costs and per diem of the members of the Group of Technical Experts and other incidental expenditures related to the processing and registration of the application out of the special account established for the Preparatory Commission for the

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International Sea-Bed Authority and for the International Tribunal for the Law of the Sea from the registration fees paid by the pioneer investors. The expenditures incurred for the registration of the application submitted by the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics on behalf of the Interoceanmetal Joint Organization are to be charged against the fees to be paid by the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics for such registration as required under resolution II;

3. To convene the General Committee of the Preparatory Commission during this year's summer meeting to be held in New York in August 1991 in order to consider the application for registration as a pioneer investor submitted by the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics on behalf of the Interoceanmetal Joint Organization, taking into account the report and the recommendations of the Group of Technical Experts.

UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/121
6 August 1991

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE INTERNATIONAL SEABED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
New York, 12-30 August 1991

LETTER DATED 27 JUNE 1991 FROM THE DIRECTOR-GENERAL OF THE INTEROCEANMETAL JOINT ORGANIZATION ADDRESSED TO THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL FOR THE LAW OF THE SEA CONCERNING THE APPLICATION FOR REGISTRATION OF THE INTEROCEANMETAL JOINT ORGANIZATION AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA (LOS/PCN/118)

In connection with the application for registration of the Interoceanmetal Joint Organization (IOM) as a pioneer investor, I have the honour to submit to you the following clarifications and adjustments:

- Paragraphs 2 and 7: The reference to document LOS/PCN/L.43/Rev.1 should be deleted;

- Paragraph 3: The former German Democratic Republic ceased to be a member of Interoceanmetal;

- Paragraph 7: In addition to the variant submitted in the application of Interoceanmetal we submit for consideration by the Group of Technical Experts two new variants (annexed to the present letter); if necessary, our experts might submit to the Group of Technical Experts additional variants and make any clarification that might be requested by the Group of Technical Experts.

(Signed) Ryszard LABUS
Director-General
Interoceanmetal Joint Organization

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Annex

Variant II

Sectors B_4, B_3, B_{10}, A_1, A_2, A_4, A_5, A_6, A_8 and A_9 are hoped to be allocated to the Applicant as its pioneer area of 150,000 sq km;

Sectors A_3, A_7, B_1, B_2, B_5, B_6, B_7, B_8, B_9 and B_{11} totalling 150,000 sq km are to be reserved for the Authority.

Variant III

Sectors B_4, B_5, B_9, A_1, A_2, A_4, A_5, A_6, A_8 and A_9 are hoped to be allocated to the Applicant as its pioneer area of 150,000 sq km;

Sectors A_3, A_7, B_1, B_2, B_3, B_6, B_7, B_8, B_{10} and B_{11} totalling 150,000 sq km are to be reserved for the Authority.

UNITED NATIONS

LOS

UNITED NATIONS
CONVENTION ON THE
LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/122
22 August 1991

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEABED AUTHORITY
AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE
SEA
New York, 12-30 August 1991

DECISION ADOPTED ON 21 AUGUST 1991 BY THE GENERAL COMMITTEE OF THE PREPARATORY COMMISSION FOR THE INTERNATIONAL SEABED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA ON THE APPLICATION SUBMITTED BY THE GOVERNMENTS OF THE REPUBLIC OF BULGARIA, THE REPUBLIC OF CUBA, THE CZECH AND SLOVAK FEDERAL REPUBLIC, THE REPUBLIC OF POLAND AND THE UNION OF SOVIET SOCIALIST REPUBLICS FOR REGISTRATION OF THE INTEROCEANMETAL JOINT ORGANIZATION AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

1. Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea and the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex), the General Committee, in accordance with rule 14, paragraph 3, of the rules of procedure of the Preparatory Commission, has considered the application submitted by the Governments of the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics for registration of the Interoceanmetal Joint Organization as a pioneer investor under resolution II of the Third United Nations Conference on the Law of the Sea. The General Committee had before it a report of the Group of Technical Experts (LOS/PCN/BUR/INF/R.8) established by the Preparatory Commission to examine the application. In addition, the applicant had released for the consideration of the General Committee the formal part of its application (LOS/PCN/BUR/INF/R.11).

2. The General Committee noted that, in accordance with paragraph 4 of the statement of understanding of 5 September 1986 (document LOS/PCN/L.41/Rev.1, annex), the Group of Technical Experts had determined that the application of the Governments of the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet

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Socialist Republics for registration of the Interoceanmetal Joint Organization as a pioneer investor was in conformity with resolution II of the Third United Nations Conference on the Law of the Sea, in particular with the principle of equal estimated commercial value, subject to the guidelines and procedures set forth in the above-mentioned statement of understanding.

3. It was noted that in accordance with paragraph 21 of the statement of understanding of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex) "a group of all or several socialist States of Eastern Europe, or a group of State enterprises of such States, shall have the right to apply as pioneer investors in accordance with resolution II for one pioneer area until the United Nations Convention on the Law of the Sea enters into force." The following States - Bulgaria, Byelorussian SSR, Czechoslovakia, German Democratic Republic, Hungary, Poland, Ukrainian SSR and the USSR - were identified as falling within this category (LOS/PCN/L.41/Rev.1, annex, note a, p. 13). Cuba, which is one of the States submitting the application, was not included in the list. The General Committee decided to recommend to the Preparatory Commission that Cuba be deemed to be included in the above-mentioned list of States.

4. The General Committee has also noted that in the application submitted by the Governments of the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics for registration of the Interoceanmetal Joint Organization as a pioneer investor under resolution II of the Third United Nations Conference on the Law of the Sea, the following declarations have been made.

5. The certifying States signed the United Nations Convention on the Law of the Sea on 10 December 1982.

6. The application area is a part of the international seabed area and is beyond the limits of national jurisdiction of any State.

7. The certifying States have ensured that the areas in respect of which the application is made do not overlap with pioneer areas and reserved areas already delineated or with those claimed by the pioneer investors referred to in paragraph 1 (a) (ii) of resolution II of the Third United Nations Conference on the Law of the Sea. The certifying States have taken steps to make sure that the application area does not overlap with the areas claimed by the already known potential pioneer investors.

8. The certifying States declare that Interoceanmetal (IOM) will make the payment of $US 250,000 as the fee for registration as a pioneer investor and for the allocation of a pioneer area as soon as the applicant is advised by the Preparatory Commission.

9. In case of registration of Interoceanmetal as a pioneer investor, Interoceanmetal undertakes to conduct its pioneer activities in accordance with the provisions of resolution II, as interpreted and applied by the Preparatory Commission, in particular in the understanding of the fulfilment

of obligations by the registered pioneer investors and their certifying States (LOS/PCN/L.87, annex).

10. The General Committee, having considered the application of the Governments of the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics for registration of the Interoceanmetal Joint Organization as a pioneer investor under resolution II of the Third United Nations Conference on the Law of the Sea, taking into account the report submitted by the Group of Technical Experts, has noted with appreciation the conclusions reached by the Group of Technical Experts:

(a) Having examined the technical particulars submitted by the applicant which are summarized in section I of its report (LOS/PCN/BUR/R.8), the Group concluded that the application had been submitted in accordance with resolution II and the understanding contained in document LOS/PCN/L.41/Rev.1;

(b) Having evaluated the technical data and information submitted by the applicant as referred to in section II of its report, the Group determined that areas A and B were of equal estimated commercial value;

(c) As regards the designation of the reserved areas and the allocation of the pioneer area, the Group agreed to recommend for the consideration of the General Committee:

(i) That area A should be designated as the area to be reserved for the Authority;

(ii) That area B, which includes an area of 52,300 square kilometres identified by the applicant, should be designated as the pioneer area to be allocated to the applicant.

11. Accordingly, the General Committee, taking into account the readiness of the applicant and the certifying State to comply with their obligations under resolution II and the above-mentioned statement of understanding,

DECIDES:

(a) To designate area A, as the part of the application area which is to be reserved for the conduct of activities by the Authority in the Area through the Enterprise or in association with developing States;

(b) To allocate area B, which includes an area of 52,300 square kilometres identified by the applicant, as a pioneer area to the applicant, the Interoceanmetal Joint Organization;

(c) To annex the coordinates of areas A and B hereto;

(d) That a certificate of registration shall be issued to the applicant.

12. The certificate of registration of the application submitted by the Governments of the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Union of Soviet Socialist Republics shall record:

(a) The identity of the applicant and of the certifying States;

(b) The date of signature of the Convention by the certifying States;

(c) The date of receipt of the application and any revisions thereto;

(d) The date of the decision for registration as a pioneer investor;

(e) The date of registration as a pioneer investor;

(f) The precise geographical coordinates of the area allocated to the applicant as a pioneer area;

(g) The exclusive right of the pioneer investor to carry out pioneer activities in the pioneer area allocated to it under resolution II of the Third United Nations Conference on the Law of the Sea;

(h) The requirements of compliance by the pioneer investor with its obligations under resolution II and the above-mentioned statement of understanding;

(i) The requirements of compliance by the certifying States with their commitments under resolution II.

13. The General Committee

REQUESTS the Secretary-General of the United Nations:

(a) To inform all participants of the Preparatory Commission of this decision;

(b) To give due publicity to the coordinates of areas A and B;

(c) To maintain a register for the purpose of registering the pioneer investor and to record the reserved area;

(d) To advise the applicant of the administrative arrangements necessary for the payment of fee and to prepare and issue to the applicant a certificate of registration.

Annex

COORDINATES OF THE TURNING POINTS OF AREAS A AND B REFERRED TO IN PARAGRAPHS 11 (a) AND (b) OF THIS DECISION

1. Area A, designated as the reserved area for conduct of activities by the Authority in the Area through the Enterprise or in association with developing States, is bounded by lines joining the following turning points, the coordinates of which are listed below:

SECTOR A1

Turning points	Latitude (N)	Longitude (W)
1.	12° 00'	123° 00'
2.	13° 21'	123° 00'
3.	13° 21'	122° 30'
4.	13° 30'	122° 30'
5.	13° 30'	122° 10'
6.	14° 00'	122° 10'
7.	14° 00'	122° 20'
8.	16° 20'	122° 20'
9.	16° 20'	121° 20'
10.	16° 25'	121° 20'
11.	16° 25'	120° 40'
12.	15° 50'	120° 40'
13.	15° 50'	120° 20'
14.	15° 20'	120° 20'
15.	15° 20'	120° 30'
16.	14° 30'	120° 30'
17.	14° 30'	120° 45'
18.	14° 20'	120° 45'
19.	14° 20'	121° 50'
20.	14° 00'	121° 50'
21.	14° 00'	121° 20'
22.	13° 40'	121° 20'
23.	13° 40'	121° 10'
24.	12° 00'	121° 10'
1.	12° 00'	123° 00'

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SECTOR A2

Turning points	Latitude (N)	Longitude (W)
1.	8° 40'	121° 30'
2.	9° 20'	121° 30'
3.	9° 20'	122° 00'
4.	9° 40'	122° 00'
5.	9° 40'	122° 30'
6.	9° 50'	122° 30'
7.	9° 50'	123° 20'
8.	10° 30'	123° 20'
9.	10° 30'	124° 30'
10.	11° 00'	124° 30'
11.	11° 00'	123° 40'
12.	11° 20'	123° 40'
13.	11° 20'	122° 10'
14.	11° 00'	122° 10'
15.	11° 00'	121° 30'
16.	10° 30'	121° 30'
17.	10° 30'	120° 00'
18.	9° 40'	120° 00'
19.	9° 40'	120° 47.440'
20.	8° 40'	120° 47.440'
1.	8° 40'	121° 30'

2. Area B, allocated as a pioneer area to the applicant, Interoceanmetal Joint Organization (IOM), is bounded by lines joining the following points, the coordinates of which are listed below:

SECTOR B1

Turning points	Latitude (N)	Longitude (W)
1.	13° 50'	120° 20'
2.	14° 30'	120° 20'
3.	14° 30'	120° 30'
4.	15° 20'	120° 30'
5.	15° 20'	120° 20'
6.	15° 40'	120° 20'
7.	15° 40'	119° 50'
8.	16° 00'	119° 50'
9.	16° 00'	120° 10'
10.	16° 30.790'	120° 10'
11.	16° 30.790'	119° 00'
12.	15° 20'	119° 00'
13.	15° 20'	118° 50'
14.	14° 30'	118° 50'
15.	14° 30'	119° 30'
16.	13° 50'	119° 30'
1.	13° 50'	120° 20'

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SECTOR B2

Turning points	Latitude (N)	Longitude (W)
1.	8° 40'	120° 47.440'
2.	9° 40'	120° 47.440'
3.	9° 40'	120° 00'
4.	10° 30'	120° 00'
5.	10° 30'	120° 30'
6.	10° 45'	120° 30'
7.	10° 45'	121° 00'
8.	11° 00'	121° 00'
9.	11° 00'	121° 10'
10.	11° 20'	121° 10'
11.	11° 20'	121° 40'
12.	12° 00'	121° 40'
13.	12° 00'	121° 10'
14.	13° 20'	121° 10'
15.	13° 20'	119° 50'
16.	13° 10'	119° 50'
17.	13° 10'	119° 25'
18.	12° 20'	119° 25'
19.	12° 20'	119° 50'
20.	11° 50'	119° 50'
21.	11° 50'	119° 25'
22.	9° 45'	119° 25'
23.	9° 45'	119° 00'
24.	8° 50'	119° 00'
25.	8° 50'	119° 50'
26.	8° 40'	119° 50'
1.	8° 40'	120° 47.440'

SECTOR B3

Turning points	Latitude (N)	Longitude (W)
1.	7° 40'	123° 35'
2.	8° 15'	123° 35'
3.	8° 15'	124° 00'
4.	9° 05'	124° 00'
5.	9° 05'	122° 30'
6.	9° 20'	122° 30'
7.	9° 20'	121° 30'
8.	8° 55'	121° 30'
9.	8° 55'	122° 00'
10.	8° 45'	122° 00'
11.	8° 45'	122° 10'
12.	8° 35'	122° 10'
13.	8° 35'	122° 45'
14.	7° 40'	122° 45'
1.	7° 40'	123° 35'

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/123
1 October 1991
ENGLISH
ORIGINAL: FRENCH

PREPARATORY COMMISSION FOR THE INTERNATIONAL SEABED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

NOTE VERBALE DATED 28 AUGUST 1991 FROM THE PERMANENT MISSION OF FRANCE TO THE UNITED NATIONS ON BEHALF OF JAPAN, THE UNION OF SOVIET SOCIALIST REPUBLICS AND FRANCE ADDRESSED TO THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL FOR THE LAW OF THE SEA

The Permanent Mission of France to the United Nations presents its compliments to the Special Representative of the Secretary-General for the Law of the Sea and, on behalf of Japan, the Union of Soviet Socialist Republics and France, has the honour to transmit herewith the joint report of the pioneer investors registered in the aforesaid countries, concerning the preparatory work referred to in paragraphs 9 to 15 of document LOS/PCN/BUR/R.5, for submission to the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea. The report is drafted in English and French. The French version will be transmitted to the Special Representative during the month of September 1991. Another 15 copies in English will also be mailed to him in the near future. The Special Representative will note that the report submitted to him on today's date is accompanied by a diskette of the database on the sample stations.

The completion of the aforesaid preparatory work and the submission of the results thereof to the Preparatory Commission are in accordance with paragraph 7, subparagraph (a) and paragraph 8, subparagraphs (a) and (c), of the understanding on the fulfilment of obligations by the registered pioneer investors and their certifying States, annexed to document LOS/PCN/L.87.

UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/128
26 March 1993

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEABED AUTHORITY
AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE SEA
Eleventh session
Kingston, Jamaica
22 March-2 April 1993

LETTER DATED 25 MARCH 1993 FROM THE COORDINATOR OF THE GROUP OF REGISTERED PIONEER INVESTORS ON BEHALF OF FRANCE, JAPAN AND THE RUSSIAN FEDERATION ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMISSION

On 18 August 1992, when the General Committee of the Preparatory Commission was giving consideration to the understanding regarding the obligations of INTEROCEANMETAL, the group of registered pioneer investors consisting of China, France, India, Japan and Russia came out in favour of that understanding. It noted and declared its support for the confirmation given of the easing of obligations for the pioneer investors. The States making up the group were indeed desirous of such a development to which the Preparatory Commission as a whole contributed.

In the framework of that declaration, France, Japan and Russia reminded the General Committee of the Preparatory Commission of the need to apply the principle of equality to the treatment granted them, taking into account that the provisions of the United Nations Convention on the Law of the Sea, and of Resolution II, concerning the pioneer investors, are based upon non-discrimination.

I hereby have the honour, on behalf of those three States, to request you, in accordance with your statement of 31 August 1990 (paragraph 40, subparagraph (a), of document LOS/PCN/L.87), to have the General Committee of the Preparatory Commission carry out, in the first part of the eleventh session of the Commission, the necessary adjustments concerning the system of obligations for the registered pioneer investors of France, Japan and Russia, as reproduced in the annex to the above-mentioned document.

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Taking the request expressed by France, Japan and Russia into account will be of a nature to strengthen the spirit of understanding within the Preparatory Commission, and to foster the ideal of the common heritage of mankind.

(Signed) Georges DUQUIN
Coordinator of the group
of registered pioneer investors

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/131
6 October 1993

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE INTERNATIONAL SEABED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

LETTER DATED 1 OCTOBER 1993 FROM THE COORDINATOR OF THE GROUP OF REGISTERED PIONEER INVESTORS ON BEHALF OF FRANCE, JAPAN AND THE RUSSIAN FEDERATION ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMISSION

On behalf of France, Japan and the Russian Federation, I had the honour, by a letter dated 25 March 1993 (LOS/PCN/128), to request you to have the General Committee of the Preparatory Commission consider carrying out necessary adjustments concerning the system of obligations of the registered pioneer investors of France, Japan and the Russian Federation consistently with the principle of equality of treatment.

During the deliberations of the General Committee meeting on 30 March 1993, we were asked to make the above-mentioned request more explicit to the members of the Committee.

I wish, on behalf of France, Japan and the Russian Federation, to confirm hereunder the declaration I made in order to give an answer to this question, in our opinion, the understanding relating to the obligations of France, Japan and the Russian Federation should be adjusted to be identical with the understandings concerning the obligations of the pioneer investors which have been registered since 1988. We are also of the view that the principle of equality of treatment should be maintained between any potential applicant and the first pioneer investors.

Such an adjustment not only would be consistent with the principle of equality of treatment but would also contribute to facilitating the current negotiations on the universal acceptance of the United Nations Convention on the Law of the Sea.

France, Japan and the Russian Federation respectfully request you to circulate the present letter to the members of the General Committee at your earliest convenience, so that the General Committee may have adequate time at its disposal to consider the matter and to take the appropriate decision at its next meeting.

(Signed) Georges DUQUIN
Coordinator of the group
of registered pioneer investors

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UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/134
20 January 1994

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEABED AUTHORITY
AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE
SEA
Twelfth session
Kingston, Jamaica
7-11 February 1994

RECEIPT OF APPLICATION FROM THE GOVERNMENT OF THE REPUBLIC OF KOREA FOR REGISTRATION AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

Note by the Secretary-General

1. In accordance with the procedures and guidelines for registration of pioneer investors under resolution II of the Third United Nations Conference on the Law of the Sea, as contained in annex II to document LOS/PCN/27 dated 8 September 1983, the Secretary-General wishes to inform the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea that on 14 January 1994 the Director of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs received from the Permanent Representative of the Republic of Korea to the United Nations a letter dated 14 January 1994, addressed to the Chairman of the Preparatory Commission, submitting an application on behalf of the Government of the Republic of Korea for registration as a pioneer investor under the provisions of resolution II. The texts of the covering letter and of the application submitted are annexed hereto.

2. The application was accompanied by sealed envelopes said to contain details relating to the application.

Annex

LETTER DATED 14 JANUARY 1994 FROM THE PERMANENT REPRESENTATIVE OF THE REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMISSION

Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea and the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex) and the statement of understanding on the implementation of resolution II of 10 April 1987 (LOS/PCN/L.43/Rev.1), I hereby have the honour, on behalf of the Government of the Republic of Korea, to submit the application to the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea for registration as a pioneer investor and for the allocation of a pioneer area.

(Signed) Chong-Ha YOO
Ambassador
Permanent Representative

Appendix

APPLICATION OF THE GOVERNMENT OF THE REPUBLIC OF KOREA FOR REGISTRATION AS A PIONEER INVESTOR

1. The Government of the Republic of Korea submits the application to the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea for registration as a pioneer investor and for the allocation of a pioneer area.

2. This application is submitted in accordance with resolution II of the Third United Nations Conference on the Law of the Sea and with the decision of the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea, adopted on 5 September 1986 (LOS/PCN/L.41/Rev.1, annex, para. 20).

Applicant:

(a) Name: Ministry of Trade, Industry and Energy, Government of the Republic of Korea

(b) Mailing address: 1 Jungang-dong, Kwachon-shi
Kyonggi-do, 427-760
REPUBLIC OF KOREA

(c) Telephone: 82-2-504-6000

(d) Fax: 82-2-503-9496

3. The Government of the Republic of Korea signed the United Nations Convention on the Law of the Sea on 14 March 1983.

4. The Government of the Republic of Korea ensures that the areas in respect of which the application is made do not overlap with pioneer areas and reserved areas already delineated or with those claimed by the pioneer investors referred to in paragraph 1 (a) (ii) of resolution II of the Third United Nations Conference on the Law of the Sea. The Republic of Korea has taken steps to make sure that the application area does not overlap with the areas claimed by the already known potential pioneer investors.

5. The application area is a part of the international seabed area and is beyond the limits of national jurisdiction of any State.

6. The application area of the Republic of Korea covers a total of 300,000 sq km consisting of 11 sectors, namely, A1 (18,541 sq km), A2 (18,650 sq km), B1 (23,464 sq km), B2 (52,300 sq km), C1 (18,382 sq km), C2 (17,733 sq km), D1 (24,222 sq km), D2 (52,300 sq km), N1 (20,134 sq km), N2 (37,204 sq km), and N3 (17,070 sq km).

The proposal for the allocation of the pioneer area and reserved area is as follows:

(1) The applicant has identified two groups of sectors, namely group G1 covering sectors A1, C2, D1 and N2, and group G2 covering sectors A2, B1, C1, N1 and N3, which are of equal estimated commercial value and are each of 97,700 sq km in size. Either of the two groups of sectors may be allocated to the Authority as part of the reserved area and the remaining to the applicant as a part of the pioneer area;

(2) It is proposed that sector B2 (52,300 sq km) be designated as the pioneer area for incorporation in the total area of 150,000 sq km to be allocated to the applicant in accordance with the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex);

(3) Accordingly, sector D2 (52,300 sq km) together with one of the two groups of sector G1 or G2 as defined above and totalling 150,000 sq km is to be reserved for the Authority.

7. The applicant agrees to make the payment of US$ 250,000 as the fee for registration as a pioneer investor and for the allocation of a pioneer area as soon as the applicant is advised by the Preparatory Commission.

8. The applicant undertakes to comply with the provisions of resolution II of the Third United Nations Conference on the Law of the Sea, including paragraph 12. It will also conduct its pioneer activities in accordance with the relevant provisions of resolution II and with the principles relating to the preservation of the marine environment as set out in the United Nations Convention on the Law of the Sea.

9. The data and information referred to in paragraph 3 (a) of resolution II and in the annex to document LOS/PCN/27 of 8 September 1983 are attached to this application in a sealed envelope because of their confidential character.

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Attachment

CERTIFICATE OF EXPENDITURE

CONCERNING PIONEER ACTIVITIES

It is certified that the total expenditure incurred by the Ministry of Trade, Industry and Energy, the Government of the Republic of Korea, in pioneer activities as defined in paragraph 1 (b) of resolution II of the Third United Nations Conference on the Law of the Sea is more than US$ 30 million (calculated in constant dollars relative to 1982) and more than 10 per cent of this expenditure has been expended in the location, survey and evaluation of the area referred to in paragraph 3 (a) of the above resolution II.

(Signed) Chulsu KIM
Minister
Ministry of Trade, Industry
and Energy
The Republic of Korea

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UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/135
8 February 1994

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEABED AUTHORITY
AND FOR THE INTERNATIONAL TRIBUNAL
FOR THE LAW OF THE SEA
Twelfth session
Kingston, Jamaica
7-11 February 1994

DECISION ADOPTED BY THE GENERAL COMMITTEE ON BEHALF OF THE PREPARATORY COMMISSION CONCERNING THE APPLICATION SUBMITTED BY THE GOVERNMENT OF THE REPUBLIC OF KOREA FOR REGISTRATION AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

The Preparatory Commission, having received on 14 January 1994 an application from the Government of the Republic of Korea for registration as a pioneer investor under resolution II of the Third United Nations Conference on the Law of the Sea,

DECIDES:

1. To convene a meeting of the Group of Technical Experts to examine and report to the General Committee on said application, in accordance with the provisions of document LOS/PCN/L.41/Rev.1 of 5 September 1986, for a period not exceeding one week before the beginning of this year's summer meeting of the Preparatory Commission;

2. To authorize the Secretary-General to pay the travel costs and per diem of the members of the Group of Technical Experts and other incidental expenditures related to the processing and registration of the application out of the special account established for the Preparatory Commission for

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the International Seabed Authority and for the International Tribunal for the Law of the Sea from the registration fees paid by the pioneer investors. The expenditures incurred for the registration of the application submitted by the Government of the Republic of Korea are to be charged against the fees to be paid by the Republic of Korea for such registration as required under resolution II;

3. To convene the General Committee of the Preparatory Commission during this year's summer meeting to be held in New York in August 1994 in order to consider the application for registration as a pioneer investor submitted by the Republic of Korea, taking into account the report and the recommendations of the Group of Technical Experts.

UNITED NATIONS

LOS

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/136
9 February 1994
ENGLISH
ORIGINAL: FRENCH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEABED AUTHORITY
AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE SEA
Twelfth session
Kingston, 7-11 February 1994

LETTER DATED 28 JANUARY 1994 FROM THE CHAIRMAN OF THE DELEGATION OF FRANCE ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMISSION

Please find enclosed, for the information of the Officers of the Preparatory Committee, a certificate concerning the training course completed in France by Mr. Ahmed Braham (Tunisia) in accordance with the understanding of 31 August 1990 on the fulfilment of obligations by the registered pioneer investors and their certifying States.

(Signed) Georges DUQUIN
Head of the French delegation to the
Preparatory Commission for the
International Seabed Authority and
for the International Tribunal
for the Law of the Sea

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Annex

CERTIFICATE

The undersigned, Georges Duquin, Deputy Director for the Law of the Sea, Fisheries and Antarctica in the Office of Legal Affairs of the Office of Foreign Affairs of the French Republic and Head of the French delegation to the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea, hereby certifies that Mr. Ahmed Braham, of Tunisian nationality, born on 29 November 1959 at M'Baken (Tunisia), successfully completed between November 1992 and September 1993 the training programme in France provided for under the understanding on the fulfilment of obligations by the registered pioneer investors and their certifying States (LOS/PCN/L.87, annex), dated 30 August 1990 and adopted on 31 August 1990 by the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea. This certification also applies to the statements made below.

After being selected by the Officers of the Preparatory Commission on the recommendation of the Training Panel, Mr. Braham attended a training course in mining geology in France. The course comprised the following training:

1. Centre for Higher Education in the Exploration and Exploitation of Mineral Resources (CESEV) at the Ecole nationale supérieure de géologie appliquée, Nancy (November 1992-May 1993):

Mr. Braham received instruction in the following subjects:

- Mining economics (economics of raw materials, project economics, economics of technology);
- Mineral deposits (geology, technology, specific problems);
- Fundamentals of ore processing;
- Micro-computers.

This training was supplemented by industrial visits.

On completion of the training, Mr. Braham sat for the Diploma of Higher Specialized Studies (DESS), "Development of the Resources of the Subsoil", "Exploration and Mining Geology" option, and received the average mark of 15.18/20, placing him in the first third of his class.

To supplement the general programme, Mr. Braham was given an introduction to underwater raw materials (granulates, sulphur-bearing deposits, nodules, seabed tin and diamond placers).

During this course at Nancy, Mr. Braham demonstrated great seriousness and open-mindedness.

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2. Bureau de recherches géologiques minières (BRGM) (3-28 May 1993):

Mr. Braham received supplementary training at the Geological and Geophysical Data Management Centre, in Orléans, of the National Geological Service of BRGM.

The theme of this additional training was the acquisition and management of information.

In this connection, Mr. Braham received instruction inter alia in the latest available software and languages relating to geological and geophysical data, French databank practice and the preparation of geological maps.

During his stay at the Orléans Centre of BRGM, Mr. Braham demonstrated, in the course of acquiring new knowledge and becoming acquainted with the latest state of geological and geophysical data management in France, the high level of his own knowledge and adaptability.

3. Institut français de l'exploitation de la mer (IFREMER) (July-September 1993):

Mr. Braham attended a training course at IFREMER headquarters, and principally at the Institute's centre located at Brest (Finistère). He studied means of prospecting for and exploiting deep seabed polymetallic nodules, the geological and mining characteristics of these deposits and the various ways of processing data relating to them.

Mr. Braham also carried out a study using data obtained by AFERNOD during its exploration work in the North Pacific Ocean, in the Clarion-Clipperton zone, employing programmes for computer evaluation of mineral deposits.

During this course, Mr. Braham showed remarkable aptitude for acquiring knowledge in a new field. He was also able to apply his professional skills to making a critical appraisal of the methods and data to which he was introduced.

On completion of his training, Mr. Braham was unanimously felt to have demonstrated exceptional professional and human qualities and to have fully attained the objectives of the training designed to give the personnel of the future Authority the best possible qualifications.

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/138
11 July 1994
ENGLISH
ORIGINAL: FRENCH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEABED AUTHORITY
AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE SEA
New York, 1-12 August 1994

LETTER DATED 5 JULY 1994 FROM THE COORDINATOR OF THE GROUP OF REGISTERED PIONEER INVESTORS ON BEHALF OF FRANCE, JAPAN AND THE RUSSIAN FEDERATION ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMISSION

By a letter dated 25 March 1993 (LOS/PCN/128), France, Japan and the Russian Federation requested that you apply paragraph 40 (a) of document LOS/PCN/L.87, adopted on 31 August 1990 by the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea. In that letter, the three above-mentioned States explained that they were requesting, in accordance with the said paragraph, which was the result of a decision by the Preparatory Commission, that the General Committee of the Commission, mindful of the principle of equality of treatment, should carry out, during the first part of its eleventh session, necessary adjustments concerning the treatment of the registered pioneer investors of France, Japan and the Russian Federation.

By a letter dated 1 October 1993 (LOS/PCN/131), France, Japan and the Russian Federation reiterated in greater detail their request of 25 March 1993 with a view to an appropriate decision by the General Committee of the Preparatory Commission during the first part of its twelfth session. In the course of its discussion of the matter, which took place in Kingston on 8 and 9 February, as scheduled, certain members of the General Committee indicated that it would be preferable to await the results of the consultations being carried out by the Secretary-General of the United Nations with a view to universal participation in the United Nations Convention on the Law of the Sea.

On 3 June 1994, those consultations resulted in the Agreement Relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, which will be adopted and signed at the end of July 1994 and will be provisionally applied as from the entry into force of the Convention, 16 November 1994. Certain provisions of the Agreement, including

those mentioned in section 1, paragraph 6 (a) and section 8, paragraphs 1 (d) and 2 of its Annex, affect the situation of the pioneer investors of France, Japan and the Russian Federation.

France, Japan and the Russian Federation hereby reiterate their request that the General Committee of the Preparatory Commission include in its agenda, as a matter of priority, an item concerning the carrying out, in accordance with paragraph 40 (a) of document LOS/PCN/L.87, of necessary adjustments concerning the provisions of the annex to the said document, in accordance with the provisions of the Agreement Relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982.

(Signed) Georges DUQUIN
Coordinator of the group of
registered pioneer investors

/...

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Distr.
GENERAL

LOS/PCN/144
12 October 1994

ORIGINAL: ENGLISH

PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEABED AUTHORITY
AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE SEA

DECISION ADOPTED ON 2 AUGUST 1994 BY THE GENERAL COMMITTEE OF THE PREPARATORY COMMISSION FOR THE INTERNATIONAL SEABED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA ON THE APPLICATION SUBMITTED BY THE GOVERNMENT OF THE REPUBLIC OF KOREA FOR REGISTRATION AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

1. Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea and the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex), the General Committee, in accordance with rule 14, paragraph 3, of the rules of procedure of the Preparatory Commission, has considered the application submitted by the Government of the Republic of Korea for registration as a pioneer investor under resolution II of the Third United Nations Conference on the Law of the Sea. The General Committee had before it a letter by the Permanent Representative of the Republic of Korea to the United Nations dated 14 January 1994, addressed to the Chairman of the Preparatory Commission, submitting the application (LOS/PCN/134), as well as a report of the Group of Technical Experts (LOS/PCN/BUR/R.40) established by the Preparatory Commission to examine the application.

2. The General Committee noted that, in accordance with paragraph 4 of the statement of understanding of 5 September 1986 (document LOS/PCN/L.41/Rev.1, annex), the Group of Technical Experts had determined that the application of the Government of the Republic of Korea was in conformity with resolution II, in particular with the principle of equal estimated commercial value, subject to the guidelines and procedures set forth in the above-mentioned statement of understanding.

3. The General Committee has also noted that in the application submitted by the Government of the Republic of Korea, the following declarations have been made:

/...

"(a) The Government of the Republic of Korea signed the United Nations Convention on the Law of the Sea on 14 March 1983.

(b) The Government of the Republic of Korea ensures that the areas in respect of which the application is made do not overlap with pioneer areas and reserved areas already delineated or with those claimed by the pioneer investors referred to in paragraph 1 (a) (ii) of resolution II of the Third United Nations Conference on the Law of the Sea. The Republic of Korea has taken steps to make sure that the application area does not overlap with the areas claimed by the already known potential pioneer investors.

(c) The application area is a part of the international seabed area and is beyond the limits of national jurisdiction of any State.

(d) The applicant agrees to make the payment of US$ 250,000 as the fee for registration as a pioneer investor and for the allocation of a pioneer area as soon as the applicant is advised by the Preparatory Commission.

(e) The applicant undertakes to comply with the provisions of resolution II of the Third United Nations Conference on the Law of the Sea, including paragraph 12. It will also conduct its pioneer activities in accordance with the relevant provisions of resolution II and with the principles relating to the preservation of the marine environment as set out in the United Nations Convention on the Law of the Sea."

4. The General Committee, having considered the application of the Government of the Republic of Korea, taking into account the report submitted by the Group of Technical Experts, has noted with appreciation the conclusions reached by the Group:

(a) That the application has been submitted in accordance with resolution II and the understanding contained in document LOS/PCN/L.41/Rev.1, annex;

(b) That areas A and B in the application are of equal estimated commercial value.

5. The Committee further noted that the list of coordinates of areas A and B has been deposited with the Secretary-General.

6. Accordingly, the General Committee, taking into account the readiness of the applicant and the certifying State to comply with their obligations under resolution II and the above-mentioned statement of understanding,

Decides:

(a) To designate area A as the area to be reserved for the Authority;

(b) To allocate area B, which includes an area of 52,300 square kilometres identified by the applicant, as a pioneer area to the applicant, the Government of the Republic of Korea;

(c) To annex the coordinates of areas A and B hereto;

(d) That a certificate of registration shall be issued to the applicant.

7. The certificate of registration of the application shall record:

(a) The identity of the applicant and of the certifying State;

(b) The date of signature of the Convention by the certifying State;

(c) The date of the receipt of the application;

(d) The date of the decision for registration as a pioneer investor;

(e) The date of registration as a pioneer investor;

(f) The precise geographical coordinates of the area allocated to the applicant as a pioneer area;

(g) The exclusive right of the pioneer investor to carry out pioneer activities in the pioneer area allocated to it under resolution II of the Third United Nations Conference on the Law of the Sea;

(h) The requirements of compliance by the pioneer investor with the obligations under resolution II and the above-mentioned statement of understanding;

(i) The requirements of compliance by the certifying State with its commitments under resolution II.

8. The General Committee

Requests the Secretary-General of the United Nations:

(a) To inform all participants in the Preparatory Commission of this decision;

(b) To give due publicity to the coordinates of areas A and B;

(c) To maintain a register for the purpose of registering the pioneer investor and to record the reserved area;

(d) To advise the applicant of the administrative arrangements necessary for the payment of the fee and to prepare and issue to the applicant a certificate of registration.

Annex

COORDINATES OF THE TURNING POINTS OF AREAS A AND B REFERRED TO IN PARAGRAPH 6 (a) AND (b) OF THIS DECISION

1. Area A, designated as the area to be reserved for conduct of activities by the Authority in the Area through the Enterprise or in association with developing States, is bound by lines joining the following turning points, the coordinates of which are listed below:

Turning points	Latitude (N)	Longitude (W)
A1-1	10° 50.00′	137° 30.00′
A1-2	10° 50.00′	136° 00.00′
A1-3	9° 40.00′	136° 00.00′
A1-4	9° 40.00′	136° 50.00′
A1-5	9° 59.00′	136° 50.00′
A1-6	9° 59.00′	137° 30.00′
A1-1	10° 50.00′	137° 30.00′
C2-1	11° 05.00′	128° 07.00′
C2-2	10° 48.81′	128° 07.00′
C2-3	10° 48.81′	128° 10.00′
C2-4	10° 40.00′	128° 10.00′
C2-5	10° 40.00′	128° 00.00′
C2-6	9° 55.00′	128° 00.00′
C2-7	9° 55.00′	127° 05.00′
C2-8	9° 25.00′	127° 05.00′
C2-9	9° 25.00′	128° 05.00′
C2-10	9° 40.00′	128° 05.00′
C2-11	9° 40.00′	128° 15.00′
C2-12	10° 00.00′	128° 15.00′
C2-13	10° 00.00′	128° 50.00′
C2-14	10° 15.00′	128° 50.00′
C2-15	10° 15.00′	129° 00.60′
C2-16	10° 32.32′	129° 00.60′
C2-17	10° 32.32′	128° 50.00′
C2-18	11° 05.00′	128° 50.00′
C2-1	11° 05.00′	128° 07.00′
D1-1	11° 30.00′	126° 50.00′
D1-2	11° 30.00′	126° 15.00′
D1-3	11° 20.53′	126° 15.00′
D1-4	11° 20.53′	126° 00.00′
D1-5	11° 06.00′	126° 00.00′
D1-6	11° 06.00′	125° 00.00′
D1-7	11° 41.00′	125° 00.00′

/...

Turning points	Latitude (N)	Longitude (W)
D1-8	11° 41.00'	124° 30.00'
D1-9	10° 40.00'	124° 30.00'
D1-10	10° 40.00'	125° 10.00'
D1-11	10° 30.00'	125° 10.00'
D1-12	10° 30.00'	126° 00.00'
D1-13	10° 20.00'	126° 00.00'
D1-14	10° 20.00'	126° 50.00'
D1-1	11° 30.00'	126° 50.00'
D2-1	11° 40.00'	126° 15.00'
D2-2	11° 40.00'	126° 00.00'
D2-3	12° 15.00'	126° 00.00'
D2-4	12° 15.00'	125° 20.00'
D2-5	13° 05.00'	125° 20.00'
D2-6	13° 05.00'	123° 35.00'
D2-7	12° 56.00'	123° 35.00'
D2-8	12° 56.00'	123° 20.00'
D2-9	11° 20.00'	123° 20.00'
D2-10	11° 20.00'	123° 40.00'
D2-11	11° 10.00'	123° 40.00'
D2-12	11° 10.00'	124° 30.00'
D2-13	11° 41.00'	124° 30.00'
D2-14	11° 41.00'	125° 00.00'
D2-15	11° 06.00'	125° 00.00'
D2-16	11° 06.00'	126° 00.00'
D2-17	11° 20.53'	126° 00.00'
D2-18	11° 20.53'	126° 15.00'
D2-1	11° 40.00'	126° 15.00'
N2-1	16° 40.00'	130° 15.00'
N2-2	16° 40.00'	130° 05.00'
N2-3	16° 50.00'	130° 05.00'
N2-4	16° 50.00'	129° 30.00'
N2-5	16° 40.00'	129° 30.00'
N2-6	16° 40.00'	128° 50.00'
N2-7	16° 50.00'	128° 50.00'
N2-8	16° 50.00'	128° 30.00'
N2-9	16° 40.00'	128° 30.00'
N2-10	16° 40.00'	128° 10.00'
N2-11	16° 35.00'	128° 10.00'
N2-12	16° 35.00'	127° 30.00'
N2-13	16° 20.00'	127° 30.00'
N2-14	16° 20.00'	127° 10.00'
N2-15	16° 40.00'	127° 10.00'
N2-16	16° 40.00'	126° 50.00'
N2-17	17° 10.00'	126° 50.00'

/...

Turning points	Latitude (N)	Longitude (W)
N2-18	17° 10.00′	126° 00.00′
N2-19	16° 45.15′	126° 00.00′
N2-20	16° 45.15′	126° 10.00′
N2-21	16° 15.00′	126° 10.00′
N2-22	16° 15.00′	126° 45.00′
N2-23	16° 00.00′	126° 45.00′
N2-24	16° 00.00′	127° 00.00′
N2-25	15° 44.00′	127° 00.00′
N2-26	15° 44.00′	128° 35.00′
N2-27	16° 00.00′	128° 35.00′
N2-28	16° 00.00′	129° 10.00′
N2-29	16° 10.00′	129° 10.00′
N2-30	16° 10.00′	130° 00.00′
N2-31	16° 20.00′	130° 00.00′
N2-32	16° 20.00′	130° 10.00′
N2-33	16° 25.00′	130° 10.00′
N2-34	16° 25.00′	130° 15.00′
N2-1	16° 40.00′	130° 15.00′

2. Area B, which includes an area of 52,300 square kilometres identified by the applicant, allocated as a pioneer area to the applicant, the Government of the Republic of Korea, is bound by lines joining the following turning points, the coordinates of which are listed below:

Turning points	Latitude (N)	Longitude (W)
A2-1	11° 30.00′	136° 00.00′
A2-2	11° 30.00′	135° 00.00′
A2-3	10° 20.00′	135° 00.00′
A2-4	10° 20.00′	135° 20.00′
A2-5	10° 00.00′	135° 20.00′
A2-6	10° 00.00′	135° 30.00′
A2-7	9° 40.00′	135° 30.00′
A2-8	9° 40.00′	136° 00.00′
A2-1	11° 30.00′	136° 00.00′
B1-1	11° 30.00′	134° 30.00′
B1-2	11° 30.00′	133° 40.00′
B1-3	11° 00.00′	133° 40.00′
B1-4	11° 00.00′	133° 30.00′

/...

Turning points	Latitude (N)	Longitude (W)
B1-5	10° 30.00'	133° 30.00'
B1-6	10° 30.00'	133° 00.00'
B1-7	10° 02.35'	133° 00.00'
B1-8	10° 02.35'	132° 50.00'
B1-9	9° 30.00'	132° 50.00'
B1-10	9° 30.00'	133° 50.00'
B1-11	10° 20.00'	133° 50.00'
B1-12	10° 20.00'	134° 30.00'
B1-1	11° 30.00'	134° 30.00'
B2-1	10° 30.00'	133° 00.00'
B2-2	10° 30.00'	132° 30.00'
B2-3	11° 00.00'	132° 30.00'
B2-4	11° 00.00'	131° 30.00'
B2-5	11° 30.00'	131° 30.00'
B2-6	11° 30.00'	131° 10.00'
B2-7	11° 40.00'	131° 10.00'
B2-8	11° 40.00'	130° 30.00'
B2-9	9° 40.00'	130° 30.00'
B2-10	9° 40.00'	131° 00.00'
B2-11	9° 10.00'	131° 00.00'
B2-12	9° 10.00'	131° 30.00'
B2-13	9° 00.00'	131° 30.00'
B2-14	9° 00.00'	131° 55.00'
B2-15	9° 30.00'	131° 55.00'
B2-16	9° 30.00'	132° 50.00'
B2-17	10° 02.35'	132° 50.00'
B2-18	10° 02.35'	133° 00.00'
B2-1	10° 30.00'	133° 00.00'
C1-1	11° 40.00'	129° 45.00'
C1-2	11° 40.00'	129° 00.00'
C1-3	11° 25.00'	129° 00.00'
C1-4	11° 25.00'	128° 30.00'
C1-5	11° 35.00'	128° 30.00'
C1-6	11° 35.00'	128° 07.00'
C1-7	11° 05.00'	128° 07.00'
C1-8	11° 05.00'	128° 50.00'
C1-9	10° 32.32'	128° 50.00'
C1-10	10° 32.32'	129° 00.60'
C1-11	10° 15.00'	129° 00.60'
C1-12	10° 15.00'	129° 45.00'
C1-1	11° 40.00'	129° 45.00'

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Turning points	Latitude (N)	Longitude (W)
N1-1	16° 40.00'	133° 40.00'
N1-2	16° 40.00'	133° 00.00'
N1-3	16° 50.00'	133° 00.00'
N1-4	16° 50.00'	132° 40.00'
N1-5	16° 30.00'	132° 40.00'
N1-6	16° 30.00'	131° 20.00'
N1-7	16° 50.00'	131° 20.00'
N1-8	16° 50.00'	131° 00.00'
N1-9	16° 40.00'	131° 00.00'
N1-10	16° 40.00'	130° 15.00'
N1-11	16° 25.00'	131° 15.00'
N1-12	16° 25.00'	131° 10.00'
N1-13	16° 00.00'	130° 10.00'
N1-14	16° 00.00'	130° 50.00'
N1-15	16° 10.00'	130° 50.00'
N1-16	16° 10.00'	131° 50.00'
N1-17	16° 00.00'	131° 50.00'
N1-18	16° 00.00'	132° 10.00'
N1-19	16° 10.00'	132° 10.00'
N1-20	16° 10.00'	133° 00.00'
N1-21	16° 15.00'	133° 00.00'
N1-22	16° 15.00'	133° 10.00'
N1-23	16° 20.00'	133° 10.00'
N1-24	16° 20.00'	133° 30.00'
N1-25	16° 25.00'	133° 30.00'
N1-26	16° 25.00'	133° 40.00'
N1-1	16° 40.00'	133° 40.00'
N3-1	17° 10.00'	126° 00.00'
N3-2	17° 10.00'	125° 40.00'
N3-3	16° 50.00'	125° 40.00'
N3-4	16° 50.00'	125° 00.00'
N3-5	16° 14.00'	125° 00.00'
N3-6	16° 14.00'	125° 20.00'
N3-7	15° 44.00'	125° 20.00'
N3-8	15° 44.00'	126° 30.00'
N3-9	16° 00.00'	126° 30.00'
N3-10	16° 00.00'	126° 45.00'
N3-11	16° 15.00'	126° 45.00'
N3-12	16° 15.00'	126° 10.00'
N3-13	16° 45.15'	126° 10.00'
N3-14	16° 45.15'	126° 00.00'
N3-1	17° 10.00'	126° 00.00'

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UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

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PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEABED AUTHORITY
AND FOR THE INTERNATIONAL
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REPORT ON THE STATUS OF THE IMPLEMENTATION OF THE OBLIGATIONS OF THE REGISTERED PIONEER INVESTORS UNDER RESOLUTION II AND THE RELATED UNDERSTANDINGS PREPARED BY THE SECRETARIAT

1. Pursuant to the decisions 1/ taken by the General Committee of the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea to register the pioneer investors, a series of understandings on the fulfilment of obligations by the registered pioneer investors and their certifying States were subsequently adopted. 2/ The understandings created several new obligations as a quid pro quo for the waiving of certain obligations required under resolution II.

2. Given the fact that the Preparatory Commission, in view of the imminent entry into force of the Convention, has concluded its work, it became necessary that an updated report on the status of the implementation of the obligations of the registered pioneer investors under resolution II and the related understandings should be made.

3. To this end, the Secretariat has prepared the present summary on the fulfilment of obligations by the registered pioneer investors as of August 1994 which will also form an integral part of the Preparatory Commission's certification of compliance by the registered pioneer investor with resolution II.

I. PERIODIC EXPENDITURES BY REGISTERED PIONEER INVESTORS

4. Resolution II, paragraph 7 (c), calls for periodic expenditures by the pioneer investor in the pioneer area of an amount to be determined by the Preparatory Commission. For France, India, Japan and the Union of Soviet Socialist Republics, paragraph 4 of LOS/PCN/L.87, annex, states that periodic

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expenditures incurred in respect of the development of their respective pioneer areas shall be determined by the Preparatory Commission in consultation with and with the cooperation of each registered pioneer investor within 12 months of the adoption of the Understanding. The Understanding was adopted on 30 August 1990.

5. By paragraph 4 of LOS/PCN/L.102, annex, the same obligation applies to the China Ocean Mineral Resources Research and Development Association (COMRA), and by paragraph 4 of LOS/PCN/L.108, annex, to the Interoceanmetal Joint Organization (IOM). By paragraph 4 of LOS/PCN/L.115/Rev.1, annex, the same obligation also applies to the Government of the Republic of Korea.

Status

6. The Preparatory Commission has not determined the amounts of the periodic expenditures. The Commission has recognized that it was difficult at this stage to provide annual amounts of expenditure (LOS/PCN/L.113/Rev.1, para. 13).

7. The Russian Federation reported a total expenditure for 1990-1991 of US$ 850,000 (LOS/PCN/BUR/R.14).

II. REPORTING BY THE CERTIFYING STATE

8. Resolution II, paragraph 12 (b) (ii), requires the certifying State to report on activities carried out by it, its entities or natural or juridical persons. Paragraph 5 of LOS/PCN/L.87, annex, provides that reports to the Commission on pioneer activities as defined in resolution II, paragraph 1 (b), carried out in the pioneer areas by the certifying State (France, India, Japan and the USSR) shall be provided annually. Paragraph 5 of LOS/PCN/L.102, annex, paragraph 5 of LOS/PCN/L.108, annex, and paragraph 5 of LOS/PCN/L.115/Rev.1, annex, contain the same obligation for the certifying States: China, Bulgaria, Cuba, Czech and Slovak Federal Republic, 3/ Poland and Russian Federation; and the Republic of Korea respectively.

Status

9. The following periodic reports on the activities of the registered pioneer investors have been submitted to the Preparatory Commission by the certifying States:

Certifying State	Documents	Period covered
India 1991 a/	LOS/PCN/BUR/R.11 (27 February 1992)	1 September 1990-31 December 1991
	LOS/PCN/BUR/R.24 (27 March 1993)	1 January-31 December 1992
	LOS/PCN/BUR/R.34 (7 February 1994)	1 January-31 December 1993
Japan 1991 a/	LOS/PCN/BUR/R.12 and Corr.1 (28 February 1992)	1 September 1990-31 December 1991
	LOS/PCN/BUR/R.23 (25 March 1993)	1 January-31 December 1992
	LOS/PCN/BUR/R.35 (31 January 1994)	1 January-31 December 1993

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Certifying State	Documents	Period covered
France 1991 a/	LOS/PCN/BUR/R.13 (2 March 1992)	1 September 1990-31 December 1991
	LOS/PCN/BUR/R.22 (23 March 1993)	1 January-31 December 1992
	LOS/PCN/BUR/R.31 (31 January 1994)	1 January-31 December 1993
Russian Federation	LOS/PCN/BUR/R.14 (6 March 1992)	16 August 1990-1 January 1992
	LOS/PCN/BUR/R.25 (26 March 1993)	1 January-31 December 1992
	LOS/PCN/BUR/R.43 (2 August 1994)	1 January 1993-1 August 1994
China	LOS/PCN/BUR/R.20 (2 March 1993)	1 January-31 December 1992
	LOS/PCN/BUR/R.33 (1 February 1994)	1 January-31 December 1993
Bulgaria, Cuba, Czech and Slovak Federal Republic, Poland and Russian Federation	LOS/PCN/BUR/R.30 (2 September 1993)	20 August 1992-30 June 1993
Republic of Korea b/		

a/ Year of submission of periodic report.

b/ As the Government of the Republic of Korea was only registered as a pioneer investor on 2 August 1994, it has not yet submitted any periodic report.

III. PROVISION OF DATA

10. The three registered pioneer investors IFREMER/AFERNOD (France), DORD (Japan) and Yuzhmorgeologiya (Russian Federation) were required as part of the preparatory work to compile and illustrate all the existing data in the areas reserved for the Authority (LOS/PCN/L.87, annex, para. 7 (a).

11. None of the provisions of the Understanding contained in LOS/PCN/L.87, annex, which applies to India as well as IFREMER/AFERNOD, DORD, and Yuzhmorgeologiya require India to provide any additional data on the Authority's reserved area in the South Central Indian Ocean basin resulting from its registration.

12. By paragraph 8 of LOS/PCN/L.102, annex, LOS/PCN/L.108, annex, and paragraph 7 of LOS/PCN/L.115/Rev.1, annex, COMRA (China), IOM (Bulgaria, Cuba,

Czech and Slovak Federal Republic, Poland and the Russian Federation) and the Republic of Korea respectively were required to provide computer diskettes containing data collected by them on stations and grade and abundance of nodules in the areas reserved for the Authority resulting from their registration.

Status

13. IFREMER/AFERNOD, DORD and Yuzhmorgeologiya submitted a joint report entitled "Preparatory work in the International Seabed Authority reserved area - August 1991" to the Preparatory Commission. That report was considered by the Group of Technical Experts from 18 to 20 February 1992. The Group found that the objective of the preparatory work had been fully met.

14. China has submitted a diskette containing the required data to the Preparatory Commission (LOS/PCN/BUR/R.21).

15. The delegation of Poland, on behalf of IOM, has submitted a preliminary report containing the required data (LOS/PCN/BUR/R.46).

16. As the Government of the Republic of Korea was only registered by the General Committee as a pioneer investor on 2 August 1994, it has not yet had the opportunity to submit the required data.

IV. RELINQUISHMENT

17. Under resolution II, paragraph 1 (e), the pioneer investor shall relinquish portions of the pioneer area to revert to the Area, in accordance with the following schedule:

(i) 20 per cent of the area allocated by the end of the third year from the date of the allocation;

(ii) An additional 10 per cent of the area allocated by the end of the fifth year from the date of the allocation;

(iii) An additional 20 per cent of the area allocated or such larger amount as would exceed the exploitation area decided upon by the Authority in its rules, regulations and procedures, after eight years from the date of allocation of the area or the date of the award of a production authorization, whichever is earlier.

Status

18. On 8 August 1994 (New York, 1-12 August 1994) the General Committee took up the question of the relinquishment of pioneer areas.

19. In document LOS/PCN/L.41/Rev.1, annex, it is stated that applicants which had relinquished in advance portions of the application areas simultaneously with the application shall be deemed to have complied with resolution II, paragraph 1 (e). This applies to France, Japan and the Russian Federation.

20. LOS/PCN/L.41/Rev.1, annex, paragraph 13 (3), requires India to conform to the provisions on relinquishment of resolution II. Under those provisions, India, which became a registered pioneer investor on 17 August 1987, was due to relinquish 20 per cent of its allocated area by 17 August 1990 and a further 10 per cent of the area allocated by 17 August 1992.

21. India has notified the General Committee that, in accordance with resolution II, 20 per cent of the pioneer area (30,000 square kilometres) had been relinquished. The area relinquished was that bounded by the lines joining the turning-points and the geographical coordinates indicated in the schedule annexed to document LOS/PCN/BUR/R.44.

22. The Interoceanmetal Joint Organization, registered on 21 August 1991, was due to relinquish 20 per cent of its allocated area by 21 August 1994 and a further 10 per cent of the area allocated by 21 August 1996.

23. The delegation of Poland, on behalf of the registered pioneer investor, Interoceanmetal Joint Organization (IOM), and its certifying States, has notified the General Committee that, in accordance with the schedule established in paragraph 1 (e) (i) of resolution II, IOM had relinquished 20 per cent of the pioneer area that was situated in the southern part of the pioneer area and which adjoined the area reserved for the Authority. The relinquished area measured 30,672 square kilometres or 20.45 per cent of the pioneer area (LOS/PCN/BUR/R.45).

24. The General Committee took note of the notifications of relinquishment of pioneer areas by the registered pioneer investors, the Government of India and the Interoceanmetal Joint Organization.

25. COMRA (China), which became a registered pioneer investor on 5 March 1991, was due to relinquish 20 per cent of its allocated area by 5 March 1994 and a further 10 per cent of the allocated area by 5 March 1996.

26. At the twelfth session of the Preparatory Commission, held at Kingston from 7 to 11 February 1994, China had reported the sinking of its research vessel R/V Xiangyanghong 16. As a consequence China had to postpone its arrangements to comply with the prescribed schedule for the relinquishment of areas (LOS/PCN/L.114/Rev.1, para. 14). China reiterated its intention to relinquish 30 per cent of its allocated area at the end of the fifth year, in accordance with resolution II, paragraph 1 (e).

27. The Republic of Korea, registered on 2 August 1994, is due to relinquish 20 per cent of its allocated area by 2 August 1997 and a further 10 per cent of the allocated area by 2 August 1999.

28. The General Committee recommended to the International Seabed Authority that the Council should continue monitoring the relinquishment of areas by the registered pioneer investors.

V. EXPLORATION PLAN FOR RESERVED AREAS IN THE CENTRAL REGION OF THE NORTH-EAST PACIFIC

A. General plan

29. A comprehensive plan for the early stages of exploration of one mine site in the area reserved for the Authority in the central zone of the North-east Pacific is contained in a report of the Group of Technical Experts to the General Committee (LOS/PCN/BUR/R.5).

B. Preparatory work

30. As was noted above (para. 10) three registered pioneer investors: IFREMER/AFERNOD (France), DORD (Japan) and Yuzhmorgeologiya (Russian Federation) had to prepare jointly the preparatory work which will consist of compiling and illustrating all the existing data on the areas reserved for the Authority in the central region in order to facilitate detailed planning and implementation of the first stage of the exploration plan.

Status

31. The list of data and information gathered by France, Japan and the Russian Federation on the Authority's reserved areas was submitted in August 1991. The report entitled "Preparatory work in the International Seabed reserved area - August 1991" was submitted to the Preparatory Commission and considered by the Group of Technical Experts from 18 to 20 February 1992. The Group found that the objective of the preparatory work had been fully met and recommended that the implementation of stage I of the exploration plan might now be undertaken. It also recommended that a detailed plan of work and operational schedule for stage I might be developed jointly by the three pioneer investors (LOS/PCN/BUR/R.10).

32. The General Committee approved the recommendations of the Group of Technical Experts on 12 March 1992 (LOS/PCN/L.102).

C. Stage I of the plan for exploration

33. The basis of the obligation for the first group of applicants (France, Japan and the Russian Federation) to assist the Preparatory Commission in the exploration of a mine site and in the preparation of a plan of work with respect to the mine site is to be found in document LOS/PCN/L.41/Rev.1, annex, paragraph 14 which states:

> "Notwithstanding the provisions of paragraph 12 (a) (i) of resolution II, the first group of applicants will assist the Preparatory Commission and the Authority in the exploration of a mine site for the first operation of the Enterprise and in preparing a plan of work in respect of such a mine site. The conditions and extent of this assistance will be discussed and agreed following registration, applying mutatis mutandis the provisions of paragraph 7 (c) of resolution II."

34. In the Understanding on the Fulfilment of Obligations of the Pioneer Investors and their Certifying States of 30 August 1990 (LOS/PCN/L.87, annex) the three registered pioneer investors (France, Japan and the then Soviet Union) undertook to carry out stage I of the plan of work for the exploration in accordance with paragraphs 25 to 35 of LOS/PCN/BUR/R.5. The work for stage I of the plan for exploration had to be implemented no later than the end of the second fiscal year after the completion of the review of the results of the preparatory work by the Group of Technical Experts, in accordance with paragraph 17 of LOS/PCN/BUR/R.5.

35. The cost of stage I was estimated to be US$ 7 million to US$ 9 million, to be shared among the three pioneer investors.

36. As the report of the preparatory work was approved on 12 March 1992, work on stage I was to begin no later than the end of 1994 (LOS/PCN/BUR/INF/R.12, para. 25).

37. With respect to the annual fixed fee payable under paragraph 7 (b) of resolution II the understanding stated that:

> "Provided that the obligations under paragraphs 2, 7 and 8 above have been satisfactorily complied with, the obligations of the three registered pioneer investors, France, Japan and the Soviet Union, under resolution II, paragraph 7 (b), to pay $US 1 million per annum shall upon the completion of stage I of the exploration plan be waived as of the date of their registration." (LOS/PCN/L.87, annex, para. 10)

38. This understanding further provided that "within three months of the deposit of the sixtieth instrument of ratification or accession, the Group of Technical Experts established in accordance with paragraph 6 of document LOS/PCN/L.41/Rev.1, annex, shall review the state of the deep seabed mining and make an assessment of the time when commercial production may be expected to commence. If, as a result of the review and the assessment, the Group of Technical Experts concludes that commercial production will not take place for an extended period of time, the Preparatory Commission shall recommend to the Authority that the annual fixed fee payable under annex III, article 13, paragraph 3, be waived for a relevant period" (LOS/PCN/L.87, annex, para. 12).

39. In accordance with the above, the Group of Technical Experts was convened from 26 to 28 January 1994, three months after the Convention had received its sixtieth instrument of ratification or accession, to review the state of deep seabed mining and make an assessment of the time when commercial production might be expected to begin. In the conclusions of its report to the General Committee the Group of Technical Experts stated:

> "As regards the time when commercial production may be expected to commence, the Group concludes as follows:
>
> "(a) Although the exact timing remains uncertain as a result of a variety of imponderable factors, commercial production from the deep seabed is likely at some time in the future because deep seabed resources constitute potential commercial prospects primarily on account of: (a) the

vastness of resources; (b) the multi-metal characteristics of the ore; and (c) the absence of insurmountable technological obstacles in the mining or processing of these resources;

"(b) It is, however, certain that commercial deep seabed mining will not take place during the remainder of the current decade (up to the year 2000);

"(c) It is also unlikely that commercial deep seabed mining will take place during the following decade (2001-2010);

"(d) An assessment of the time when commercial production from deep seabed mining may be expected to commence can be made with further precision when in the future large-scale feasibility studies and deep-sea tests for a sustained period are undertaken." (LOS/PCN/BUR/R.32, para. 57)

40. At the resumed twelfth session (New York, 1-12 August 1994), the General Committee took up the issues of the annual fixed fee and the obligation of the three registered pioneer investors, France, Japan and the Russian Federation, and of their certifying States to carry out stage I of the exploration work. The General Committee considered the issues relating to the waiver of the annual fixed fee payable under annex III, article 13, paragraph 3, in the light of the conclusions of the Group of Technical Experts contained in paragraph 57 of its report (LOS/PCN/BUR/R.32) and the decision of the Preparatory Commission embodied in document LOS/PCN/L.87, annex, paragraph 12, and decided to recommend to the Authority that the annual fixed fee payable by the registered pioneer investors upon entry into force of the Convention should be waived in a manner consistent with section 8, paragraph 2, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (LOS/PCN/L.115/Rev.1, para. 16).

41. The General Committee decided also to waive the annual fixed fee of US$ 1 million provided for in resolution II, paragraph 7 (b), as of the date of registration and also referred to in document LOS/PCN/L.87, annex, paragraph 10.

42. The General Committee considered the obligation of the three registered pioneer investors, Institut Français de Recherche pour l'Exploitation de la Mer (IFREMER/AFERNOD), Deep Ocean Resources Development Co. Ltd. (DORD) and Yuzhmorgeologiya, and of their certifying States, France, Japan and the Russian Federation, to carry out stage I of the exploration work referred to in LOS/PCN/L.87, annex, paragraphs 7 and 8, and decided, without prejudice to the understanding on stage II contained in LOS/PCN/L.87, annex, paragraph 9, that the performance of the obligation should be deferred until the Legal and Technical Commission have determined that substantial exploration work was being carried out by any contractor, unless the Council decided, at the request of any registered pioneer investor, to make adjustments in accordance with paragraph 40 (a) of LOS/PCN/L.87 and section 1, paragraph 6 (a) (iii), of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (LOS/PCN/L.115/Rev.1, para. 17).

VI. TRAINING 4/

43. Resolution II, paragraph 12 (a) (ii), requires every registered pioneer investor to provide training at all levels for personnel designated by the Commission. The Special Commission for the Enterprise, Special Commission 2, was established in accordance with paragraph 8 of resolution I of the Third United Nations Conference on the Law of the Sea and was entrusted with the functions referred to in paragraph 12 of resolution II.

44. By paragraph 2 of LOS/PCN/L.87, annex, France, India, Japan and the Soviet Union were required to provide training pursuant to paragraph 12 (a) (ii) of resolution II in conformity with the specific programme for training approved by the Preparatory Commission in accordance with the principles, policies and guidelines contained in document LOS/PCN/SCN.2/L.6/Rev.1 and LOS/PCN/SCN.2/L.7 and taking into account the report contained in document LOS/PCN/BUR/R.6. It was agreed that the cost of such training would be borne by the four registered pioneer investors and would be free of cost to the Preparatory Commission. The precise number of trainees, the duration and the fields of training were to be agreed upon between the Preparatory Commission and each registered pioneer investor according to its capabilities. It was further agreed that the first group of trainees would consist of no less than 12 individuals.

45. By paragraphs 2 of LOS/PCN/L.102, annex, LOS/PCN/L.108, annex, and LOS/PCN/L.115/Rev.1, annex, the same obligation as had been agreed upon with respect to the first group of registered pioneer investors, with the exception of the number of individuals to be trained, which it was agreed "shall consist of no less than four individuals", applies to the China Ocean Mineral Resources Research and Development Association (COMRA), the Interoceanmetal Joint Organization (IOM) and the Government of the Republic of Korea respectively.

Status

46. The Training Panel approved all the training programmes of the registered pioneer investors, i.e., France, Japan, the Russian Federation, India, China and the Interoceanmetal Joint Organization, and selected candidates for the traineeships offered under those programmes. It has also been receiving progress reports on the implementation of some of those programmes.

A. Training programme of France

47. At its 1st meeting, the Panel considered and approved the training programme submitted by France (LOS/PCN/TP/1991/CRP.2). The programme was revised at the 2nd meeting to correct an error in the preambular paragraph of the profile on each traineeship, where instead of "Candidates should therefore possess", the correct wording should have been "After the training programme, candidates should therefore possess", because the capabilities listed were those the trainees would acquire after successfully completing the course. The revised programme (LOS/PCN/TP/1991/CRP.2/Rev.1), was announced in a draft note verbale which was submitted to the General Committee in document LOS/PCN/BUR/R.16. The programme offered one traineeship, of 9 to 15 months'

duration, in each of the following disciplines: mining geology and geological data processing; exploration geophysics; and naval engineering, starting in November 1992, exclusive of a language refresher course of up to three months if needed by the trainee.

48. The Panel proceeded to select candidates for the training programme of France at its 3rd meeting. A synopsis of the applications submitted for the traineeships under that programme was contained in document LOS/PCN/TP/1992/CRP.10. In view of the fact that there were no sufficiently qualified applicants for the traineeship in naval engineering, the Panel requested France to convert that traineeship into one in mining geology and geological data processing. The French authorities informally agreed to this and the Panel selected Mr. Admed Braham from Tunisia and Mr. Kaiser Gonçalves de Souza from Brazil for the two traineeships in mining geology and geological data processing; and Mr. Mamadou Ndiaye from Senegal for the traineeship in exploration geophysics (LOS/PCN/BUR/R.18).

49. The delegation of France submitted written progress reports on the implementation of its training programme at the 4th (LOS/PCN/TP/1993/CRP.16), 5th (LOS/PCN/TP/1994/CRP.20) and 6th (LOS/PCN/TP/1994/CRP.24) meetings of the Panel. The Panel was informed that Mr. Braham had successfully concluded his traineeship in September 1993 and that Mr. Kaiser Gonçalves de Souza and Mr. Mamadou Ndiaye had commenced their training in October 1993 and would complete it on 30 September 1994.

50. At its 6th meeting, the Panel proceeded to evaluate the training received by Mr. Ahmed Braham, who had trained from 8 November 1992 to 15 September 1993 in mining geology and geological data processing under the training programme of France. The Panel had at its disposal a copy of the report submitted by the trainee and the reports submitted by the delegation of France to the Training Panel at the 5th (LOS/PCN/TP/1994/CRP.20) and 6th (LOS/PCN/TP/1994/CRP.26) meetings. In addition the delegation of France had attested to the completion of the traineeship in a letter addressed to the Chairman of the Preparatory Commission for submission to the General Committee at the twelfth session of the Preparatory Commission in February 1994 (LOS/PCN/136). The Panel decided that the training had been carried out in accordance with the programme it had adopted and recommended the issuance of a training certificate to Mr. Braham by the Preparatory Commission (LOS/PCN/BUR/R.47). A copy of Mr. Braham's comprehensive report was given to the Secretariat for transfer to the Authority.

B. Training programme of Japan

51. Japan submitted its training programme (LOS/PCN/TP/1991/CRP.3) at the 1st meeting of the Training Panel. Following a review of that programme, the Panel considered that it required further elaboration. The commencement date (May 1993) and the duration of the programme (six months), seen in the light of the French programme, suggested the need for some modifications. The Panel also suggested that the note at the end of the programme to the effect that "all of the above are subject to change" created too much uncertainty. Japan informed the Panel that the annotation did not apply to the entire programme, but to specific elements that might be modified at the time the traineeships were being

implemented. The Panel requested Japan to consider making some adjustments to its programme. A revised programme was submitted by Japan to the 2nd meeting of the Panel (LOS/PCN/TP/1992/CRP.5). In its review of that programme, the Panel suggested in relation to profile 3 on training in electronic engineering that since electrical engineering related to power generation and not electronics, it was not advisable to request qualifications in that discipline of applicants for the training programme. A corrigendum was issued to the document to reflect that point. The programme was then approved by the Panel (LOS/PCN/TP/1992/CRP.5 and Corr.1) and announced in a draft note verbale which was submitted to the General Committee in document LOS/PCN/BUR/R.16. The programme offered one traineeship in each of the following disciplines: geology; geophysics; and electronic engineering, starting in May 1993 for a period of approximately 10 months, inclusive of a language course.

52. At its 3rd meeting, the Panel proceeded to select candidates for the training programme of Japan. A synopsis of the applications submitted for the traineeships under that programme was contained in document LOS/PCN/TP/1992/CRP.10. The Panel selected Mr. Pramuan Kohpina from Thailand for the traineeship in geology; Mr. Eu-Dug Hwang from the Republic of Korea for the traineeship in geophysics; and Mr. Mahmoud Mohammad-Taheri from the Islamic Republic of Iran for the traineeship in electronic engineering (LOS/PCN/BUR/R.18). Those candidates were then designated by the Preparatory Commission for the traineeships (LOS/PCN/L.108, para. 15).

53. Japan informed the Panel, at its 5th meeting, that the above-mentioned three trainees would complete their training in February 1994.

54. At the 6th meeting, the Panel evaluated the training received by the three trainees from 18 May 1993 to 26 February 1994 under the training programme of Japan. It had at its disposal a report on the trainees submitted by Japan (LOS/PCN/TP/1994/CRP.24) and the reports submitted by Mr. Pramuan Kohpina who trained in geology; Mr. Eu-Dug Hwang who trained in geophysics; and Mr. Mahmoud Mohammad-Taheri who trained in electronic engineering, on the training they had received in Japan (LOS/PCN/TP/1994/CRP.25). The Panel decided that the training had been carried out in accordance with the programme it had adopted and recommended the issuance of training certificates to Mr. Kohpina, Mr. Hwang and Mr. Mohammad-Taheri (LOS/PCN/BUR/R.47). The three trainees each wrote one part of a tentative instruction manual for a survey of manganese nodule deposits entitled "Geology and prospecting of manganese nodules". A copy of that comprehensive report was given to the Secretariat for transfer to the Authority.

C. Training programme of the Russian Federation

55. The Union of Soviet Socialist Republics submitted its training programme (LOS/PCN/TP/1991/CRP.4 and Add.1) at the 1st meeting of the Training Panel. Following a review of that programme, the Panel considered that the proposed commencement date for the programme (October 1993) and its duration (six months), seen in the light of the French programme, suggested the need for some modifications. Another area of concern was the fact that in its programme the USSR required either the Governments whose trainees were their nationals or the

United Nations to pay for the passage of the trainees. The Panel requested the USSR to consider making some adjustments to its programme. A revised programme (LOS/PCN/TP/1992/CRP.11) was submitted by the Russian Federation to the 3rd meeting of the Panel and was approved by the Panel at the same meeting. The training programme was announced in a draft note verbale which was submitted to the General Committee in document LOS/PCN/BUR/R.19. The programme offered one traineeship in each of the following disciplines: marine geology; marine geophysics; and marine ecology, starting in October 1993 for a period of approximately 10 months, inclusive of a language course.

56. At its 4th meeting, the Panel proceeded to select candidates for the training programme of the Russian Federation. A synopsis of the applications submitted for the traineeships under that programme was contained in document LOS/PCN/TP/1993/CRP.14. The Panel selected Mr. Thomas M. Munyao from Kenya for the traineeship in marine geology; Mr. Juan Lorenzo Díaz Naveas from Chile for the traineeship in marine geophysics; and Mr. Samir A. Mutwalli from Saudi Arabia for the traineeship in marine ecology (LOS/PCN/BUR/R.26). Those candidates were then designated by the Preparatory Commission for the traineeships (LOS/PCN/L.113/Rev.1, para. 20).

57. The Russian Federation informed the Panel, at its 5th meeting, that of the three trainees, only Mr. Mutwalli and Mr. Díaz Naveas had presented themselves for the training programme and had commenced their training in October and November 1993 respectively. Mr. Munyao had been scheduled to commence his training on 1 October 1993 but never responded to the notifications sent to him by the Russian Federation. Since the deadline for the commencement of the training was now long past, the Russian Federation could grant no further postponement of that traineeship.

58. At the 6th meeting, the Russian Federation submitted a written report on the successful completion of the traineeships by Mr. Mutwalli and Mr. Díaz Naveas in July 1994 (LOS/PCN/TP/1994/CRP.29). It was pointed out that with the completion of the traineeships by the two trainees, the Russian Federation had fully discharged its obligation with respect to training. The reports of the trainees would be forwarded to the Secretariat for transfer to the Authority.

59. The Panel took note of the report submitted. It decided that, in the absence of the reports of the trainees, it could not proceed with an evaluation of the training received under the training programme.

D. Training programme of India

60. India submitted its training programme (LOS/PCN/TP/1992/CRP.6) at the 2nd meeting of the Training Panel. Following a review of that programme, the Panel considered that it would be more desirable for the programme to be reorganized so as to provide clear profiles for training in three of the eight priority disciplines set forth in document LOS/PCN/BUR/R.6. It was also pointed out that the six weeks' shipboard training offered was of too short a duration and should be increased. The Panel requested India to consider making some adjustments to its programme. A revised programme was submitted by India

(LOS/PCN/TP/1992/CRP.8) to the 3rd meeting of the Panel. In its review of that programme, the Panel decided that the upper age-limit of 35 should be changed to 40 years, which represented the age-limit established by the Panel at its 2nd meeting. A corrigendum was issued to CRP.8 to reflect that point as well as an editorial change, and the programme (LOS/PCN/TP/1992/CRP.8 and Corr.1) was then approved by the Panel at its 3rd meeting. The training programme of India was announced in a draft note verbale which was submitted to the General Committee in document LOS/PCN/BUR/R.19. The programme offered one traineeship in each of the following disciplines: mining geology; exploration geophysics; and chemical engineering, starting in October 1993 for a period of 10 months.

61. At its 4th meeting, the Panel proceeded to select candidates for the training programme of India. A synopsis of the applications submitted for the traineeships under that programme was contained in document LOS/PCN/TP/1993/CRP.14. In view of the fact that there were no sufficiently qualified applicants for the traineeship in chemical engineering, the Panel decided that the traineeship would need to be deferred and re-announced so that a suitable candidate could be selected at its next meeting. The Panel selected Mr. Khalid Abdullah Kadi from Saudi Arabia for the traineeship in mining geology and Mr. Kwame Odame Boamah from Ghana for the traineeship in exploration geophysics (LOS/PCN/BUR/R.26). Those candidates were then designated by the Preparatory Commission for the traineeships (LOS/PCN/L.113/Rev.1, para. 20). The traineeship in chemical engineering was re-announced in a new draft note verbale which was submitted to the General Committee in document LOS/PCN/BUR/R.28.

62. Once it became clear that the Panel would not hold another meeting in 1993 and would therefore not be able to select a candidate for the traineeship in chemical engineering, scheduled to commence in October 1993, India was requested by the Secretariat, in a letter dated 26 July 1993, to postpone the commencement of that traineeship until the middle or end of 1994. In its reply of 5 August 1993, India agreed to its postponement until the end of 1994 (LOS/PCN/TP/1993/CRP.17). A second corrigendum was issued to the training programme contained in LOS/PCN/TP/1992/CRP.8 and Corr.1 to reflect that decision. The note verbale announcing that traineeship, which was sent out to Governments by the Secretariat shortly thereafter, was also revised accordingly.

63. At its 5th meeting, the Panel selected Mr. Saad M. Ielea from Iraq for the traineeship in chemical engineering (LOS/PCN/BUR/R.36). A synopsis of his application was contained in document LOS/PCN/TP/1994/CRP.19. Mr. Ielea was designated by the Preparatory Commission for the traineeship in chemical engineering (LOS/PCN/L.114/Rev.1, para. 22).

64. India informed the Panel, at the 5th meeting, that Mr. Kadi and Mr. Boamah had commenced their training in October 1993.

65. At the 6th meeting, India reported that two of the three trainees, namely Mr. Khalid Abdullah Kadi (Saudi Arabia) and Mr. Kwame Odame Boamah (Ghana), had completed their training in July 1994 (LOS/PCN/TP/1994/CRP.27). The reports of the trainees on the training they had received in India were submitted to the Panel. India informed the Panel that the Department of Ocean Development would submit a report on the trainees at a later stage and that it would also issue

certificates to the trainees. Copies of that report and the certificates would be sent to the Secretariat for transfer to the Authority. The reports of the trainees were given to the Secretariat for transfer to the Authority.

66. The Panel took note of the report submitted. It decided that in the absence of the report of the Department of Ocean Development, it could not proceed with an evaluation of the training received under the training programme.

E. Training programme of China

67. China submitted its training programme (LOS/PCN/TP/1993/CRP.13) at the 4th meeting of the Training Panel. Following a review of that programme, the Panel considered that the academic requirements of applicants needed to be revised in order to conform to the criterion established by the Panel in that regard at its 2nd meeting. It was also proposed that the fourth stage of the traineeship in metallurgical engineering should contain the same requirement as the other traineeships being offered, namely that, based on the training of the previous stages, the trainee would be required to select a topic for research and prepare a detailed report in the training centre. The Panel requested China to consider making some adjustments to its programme. The training programme was revised at the same meeting (LOS/PCN/TP/1993/CRP.13/Rev.1) and was subsequently approved by the Panel and announced in a draft note verbale which was submitted to the General Committee in document LOS/PCN/BUR/R.27. The programme offered one traineeship in marine geology; one in marine geophysics; and two traineeships in metallurgical engineering, starting in March 1994, for a period of approximately 11 months, inclusive of a language course.

68. In the light of the decision not to hold another meeting of the Panel in 1993, in order to select candidates for the traineeships offered under the training programme of China, scheduled to commence in March 1994, China was requested by the Secretariat, in a letter dated 26 July 1993, to postpone the commencement of its training programme until the middle or the end of 1994. In its reply of 18 August 1993, China agreed to postpone its training programme and stated that the specific time for the implementation of the programme would be raised at the next meeting of the Panel (LOS/PCN/TP/1993/CRP.17). A corrigendum was issued to the training programme contained in LOS/PCN/TP/1993/CRP.13/Rev.1 to reflect that decision. The note verbale, which was sent to Governments by the Secretariat shortly thereafter, was also revised accordingly.

69. At its 5th meeting, the Panel proceeded to select candidates for the training programme of China, which, according to the Chinese expert, was scheduled to begin in May 1994. A synopsis of the applications submitted for the traineeships under the programme was contained in document LOS/PCN/TP/1994/CRP.19. In view of the fact that there were only two qualified applicants for the two traineeships in metallurgical engineering, one of whom was 41 years of age, the Panel decided that it needed to waive the age criterion it had established at its 2nd meeting. The Panel selected Mr. Mourad Kelkal from Algeria for the traineeship in marine geology; Mr. Ibrahim Sarour Balla from the Sudan for the traineeship in marine geophysics; and Ms. Natalya Chigrinova from Belarus and Mr. Kyung-Soo Choi from the Republic of

Korea for the traineeships in metallurgical engineering (LOS/PCN/BUR/R.36). Those candidates were then designated by the Preparatory Commission for the traineeships (LOS/PCN/L.114/Rev.1, para. 22).

70. China submitted a written report on the implementation of its training programme at the 6th meeting of the Panel (LOS/PCN/TP/1994/CRP.28). It reported that the four trainees had commenced their training in the middle of May 1994. They were currently undergoing theoretical as well as language training. Practical training on board a research vessel would take place in the middle of August 1994.

F. Training programme of the Interoceanmetal Joint Organization

71. The Interoceanmetal Joint Organization (IOM) submitted its programme (LOS/PCN/TP/1993/CRP.12) at the 4th meeting of the Training Panel. Following a review of that programme, the Panel considered that it would be desirable to specify where, when and how long each trainee would spend at the various institutions. It also expressed the need for better coordination of the conduct of the training in several institutes. Other proposals for revision related to the academic qualifications required of the applicants and the restriction of the traineeship in chemical/metallurgical engineering to only metallurgical engineering. The Panel requested IOM to consider making some adjustments to its programme. The training programme was revised at the same meeting (LOS/PCN/TP/1993/CRP.12/Rev.1) and was then approved by the Panel. The training programme was announced in a draft note verbale which was submitted to the General Committee in document LOS/PCN/BUR/R.27. The programme offered one traineeship in geophysics; one in marine ecology; and two traineeships in metallurgical engineering, starting between September and November 1994 for a period of approximately 10 months.

72. At its 5th meeting, the Panel proceeded to select candidates for the training programme of IOM. A synopsis of the applications submitted for the traineeships under that programme was contained in document LOS/PCN/TP/1994/CRP.19. In view of the fact that there was only one applicant for the two traineeships in metallurgical engineering and no applicant for the traineeship in marine ecology, the Panel requested IOM to convert one of the traineeships in metallurgical engineering and the traineeship in marine ecology to two traineeships in geophysics. IOM agreed to accept three trainees in geophysics and to adjust its training programme accordingly. The Panel then selected Mr. Jong-Nam Kim from the Republic of Korea, Mr. Arif Hussain from Pakistan and Mr. Ali Ibrahim Admed from the Sudan for the three traineeships in geophysics; and Mr. Alexandr Shevchyonok from Belarus for the one traineeship in metallurgical engineering (LOS/PCN/BUR/R.36). Those candidates were then designated by the Preparatory Commission for the traineeships (LOS/PCN/L.114/Rev.1, para. 22).

73. IOM informed the Panel at its 6th meeting that there would be no delay in the commencement of its training programme on 28 October 1994 and that it was ready to receive the trainees.

74. At the resumed twelfth session (New York, 1-12 August 1994), the General Committee considered and took note of the report of the Training Panel on its sixth and last session. It endorsed the recommendation of the Panel that the Preparatory Commission issue training certificates to Mr. Kohpina, Mr. Hwang, Mr. Mohammad-Taheri and Mr. Braham. The General Committee also considered and took note of the final report of the Panel. It decided to entrust to the Council the question of the follow-up of the training programmes, in particular the issues which the Panel had identified as outstanding and the recommendations it had made thereon in document LOS/PCN/BUR/R.48.

Notes

1/ Decisions in respect of the following pioneer investors: India, 17 August 1987 (LOS/PCN/94); Institut Français de Recherche pour l'Exploitation de la Mer (IFREMER/AFERNOD), 17 December 1987 (LOS/PCN/97); Deep Ocean Resources Development Co. Ltd. (DORD), 17 December 1987 (LOS/PCN/98); Yuzhmorgeologiya, 17 December 1987 (LOS/PCN/99); China Ocean Mineral Resources Research and Development Association (COMRA), 5 March 1991 (LOS/PCN/117); Interoceanmetal Joint Organization (IOM), 21 August 1991 (LOS/PCN/122); Government of the Republic of Korea, 2 August 1994 (LOS/PCN/144).

2/ Understanding on the Fulfilment of Obligations by the Registered Pioneer Investors and their Certifying States (LOS/PCN/L.87, annex), which applies to the Government of India, the Institut Français de Recherche pour l'Exploitation de la Mer (IFREMER/AFERNOD), the Deep Ocean Resources Development Co. Ltd. (DORD) and the Soviet State enterprise Yuzhmorgeologiya and to their respective certifying States, namely, India, France, Japan and the Union of Soviet Socialist Republics; Understanding on the Fulfilment of Obligations by the Registered Pioneer Investor, the China Ocean Mineral Resources Research and Development Association (COMRA) and its certifying State, the People's Republic of China (LOS/PCN/L.102, annex), Understanding on the Fulfilment of Obligations by the Registered Pioneer Investor, the Interoceanmetal Joint Organization (IOM), and its certifying States, the Republic of Bulgaria, the Republic of Cuba, the Czech and Slovak Federal Republic, the Republic of Poland and the Russian Federation (LOS/PCN/L.108, annex); Understanding on the Fulfilment of Obligations by the Registered Pioneer Investor, the Government of the Republic of Korea, and its certifying State, the Republic of Korea (LOS/PCN/L.115/Rev.1, annex).

3/ On 25 November 1992, the Federal Assembly of the Czech and Slovak Federal Republic adopted Constitutional Law No. 542 which terminated the existence of the Czech and Slovak Federal Republic; the Law came into force on 31 December 1992. The legal successors to the Czech and Slovak Federal Republic are two sovereign States: the Czech Republic and Slovakia. The Czech Republic and Slovakia were both admitted to membership in the United Nations on 19 January 1993.

4/ This section is based on the final report of the Training Panel to the General Committee of the Preparatory Commission (LOS/PCN/BUR/R.48).

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PERIODIC REPORT ON THE ACTIVITIES OF THE INTEROCEANMETAL JOINT ORGANIZATION (IOM) IN THE PIONEER AREA FROM 1 JANUARY TO 31 DECEMBER 1994

This periodic report on the activity of IOM over the period 1 January to 31 December 1994 is submitted in accordance with paragraph 5 of the annex to document LOS/PCN/L.108, of 20 August 1992, "Understanding on the fulfilment of obligations by the registered pioneer investor, the Interoceanmetal Joint Organization and its certifying States, the Republic of Cuba, the Czech and Slovak Federal Republic*, the Republic of Poland and the Russian Federation".

I. PREPARATION AND TRANSMISSION TO THE PREPARATORY COMMISSION OF COMPREHENSIVE MATERIALS COMPILED IN THE AREA RESERVED FOR THE AUTHORITY

In conformity with paragraph 8 of the above-mentioned annex, IOM worked on the preparation of computerized database disks for the sampling stations in the area reserved for the Authority, covering 150,000 km^2, and prepared a report on the methodology of the investigations giving the results of statistical processing of all the available information, with graphics attached in the form of a series of geological content maps and diagrams. These materials were submitted to the Preparatory Commission and considered as a report at its twelfth and final session in New York. On 8 August 1994 the General Committee of the Preparatory Commission took note of the report.

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II. PREPARATION AND TRANSMISSION TO THE PREPARATORY COMMISSION OF INFORMATION ON THE RELINQUISHMENT OF TWENTY PER CENT OF THE IOM AREA TO REVERT TO THE AREA

Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea (para.1(e)), IOM prepared materials on the relinquishment of 20 per cent of the area allocated to IOM to revert to the Area. All the supporting materials on the relinquishment of the area, which covered 30,672 km^2 or 20.4 per cent of the pioneer area, were put in the form of an explanatory note which had annexed to it a series of geological content maps, and were transmitted to the Preparatory Commission, where they too were considered at its twelfth and final session. On 8 August the General Committee of the Preparatory Commission took note of the notification of relinquishment of the above-mentioned part of the IOM pioneer area.

III. IMPLEMENTATION OF THE TRAINING PROGRAMME FOR THE AUTHORITY

After document LOS/PCN/BUR/R.36 of 9 February 1994 on selection by the Training Panel of candidates for training and agreement by IOM and its certifying States to review their training programme in order to accept three trainees in geophysics and one in metallurgical engineering had been received, agreement was finally reached with the training organizations participating in IOM on the curricula and work plans for the training, and the relevant contracts were concluded. The trainees - Mr. Jong-Nam Kim (Republic of Korea), Mr. Arif Hussain (Pakistan), Mr. Ali Ibrahim Ahmed (Sudan), all in geophysics, and Mr. Alexandr Shevchyonok (Belarus), in metallurgical engineering, arrived at IOM headquarters in Szczecin (Poland) on the designated dates (between 26 and 30 October 1994.)

In the initial phase, the trainees attended introductory and theoretical lectures on the following topics:

- Mineral resources of the world's oceans, and current problems of their exploration and development, including international legal aspects;
- Regional geological prospecting work in the application stage - procedure and technical facilities;
- Technical and environmental aspects of deep-sea industrial mining of polymetallic nodules;
- Introduction to the technology of metallurgical processing of polymetallic nodules.

The programme for the first phase was fully completed. On 5 December the trainees in geophysics began their studies in the second phase at the Geophysics Institute (Torun, Poland), and the trainee in metallurgical engineering at the Institute of Mineral Raw Materials in Kutná Hóra (Czech Republic).

IV. PARTICIPATION OF IOM EXPERTS IN EXPEDITIONS AND ENVIRONMENTAL AND TECHNOLOGICAL EXPERIMENTS OF OTHER PIONEER INVESTORS

In accordance with the memorandum on co-operation between the pioneer investors IOM and COMRA of 5 May 1993, cooperation continued during the reporting year in the field of geological-environmental studies and on a bench experiment on hydraulic lifting of polymetallic nodules.

Three experts from IOM participated, under the joint programme of comprehensive geological-geophysical and hydrological studies in the reference geological-environmental sector, in the cruise by the R/V "Haiyung-4" from 4 July to 17 August 1994 in the area reserved for COMRA. The purpose was to study the nature of the interaction between geological and hydrological factors and ascertain the background geo-chemical, hydrophysical and hydrochemical characteristics needed to establish a single package of initial data for monitoring of geo-environmental conditions by all pioneer investors, and to develop a regime for such monitoring which would keep track of the global, regional and local variability of natural conditions in the Clarion-Clipperton zone. The results of these studies will be correlated with similar IOM studies which are described below.

Work also continued on IOM participation in the conduct of a programme of experimental studies of hydraulic lifting of nodules. The nodule sample selected by IOM, weighing two tons, was delivered to the Zhangshan Institute of Mining and Metallurgy (China), where the physico-mechanical properties and mineralogical and chemical composition of the nodules were studied. From 19 to 26 November 1994, practical studies were conducted at the experimental facility, with the participation of an IOM expert, to investigate the basic parameters of hydraulic lifting of nodules. In the course of these investigations, the effect of hydraulic lifting on the granulometric composition and degree of fragmentation of the nodules at various volume concentrations of nodules and various flow rates was studied. The participants in the experiment noted the high degree of effectiveness both of the experimental facility itself and of the results obtained. The fact that the experiment was conducted using natural nodules and ocean water made it possible to obtain the accurate data needed in order to plan environmentally sound nodule-lifting systems. The processing and analysis of the experimental data obtained will be conducted up until March 1995.

In August 1994, a meeting between IOM experts and representatives of Yuzhmorgeologiya (Russian Federation) and NOAA and SOSI (United States of America) took place at Honolulu (Hawaii, United States). Agreement was reached on IOM participation in the international programme for the Benthic Impact Experiment (BIE) being conducted by the United States, the Russian Federation and Japan to place a benthic community and its habitat under stress, with subsequent monitoring of recolonization at five-year intervals. In this connection, pursuant to an agreement between IOM and the Metal Mining Agency of Japan (MMAJ), two IOM experts, one following the other, participated as observers in the BIE field experiment known as Japan Environmental Test (JET) in the area reserved for Japan, which was conducted on board the R/V "Yuzhmorgeologiya" in August-September 1994. The experiment was

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distinguished by the high level of organization of the work and its material and technical support. The main value of the participation by the IOM experts lay not only in studying the experience of the conduct of the experiment, but also in the opportunity it afforded to draw up a fuller programme for the conduct of the BIE in the IOM area.

V. IOM EXPEDITION ACTIVITIES UNDER THE INTERNATIONAL BIE PROGRAMME

The programme of the cruise conducted by IOM in October 1994 on the "Yuzhmorgeologiya" research vessel provided for the conduct of a set of geological-geomorphological, geophysical and hydrological studies in the reference geological-environmental sector with a view to selecting a BIE site where natural conditions were favourable for the conduct of the experiment, and subsequently conducting within the site the first phase of baseline studies. In this phase, background hydrochemical parameters were recorded, the benthic meio- and macro-fauna were studied by means of sampling of bottom deposits using a box corer, photoprofiling, etc., and there was also provision for study of bottom currents in order to select an overall direction for towing the "Disturber-2" to simulate the collection unit. The equipment for conducting the baseline work was provided by the Russian Federation, as a participant in IOM, and by NOAA and SOSI (United States). After completion of sampling and photo-profiling on the test site, four buoyed bottom stations equipped with current meters were installed prior to commencement of the second phase of the BIE, the conduct of which is scheduled for June-July 1995. Background hydrophysical and hydrogeochemical data on the water column and bottom deposits in the reference geological-environmental sector will be compared with those on a similar sector obtained in the COMRA area in the course of the joint correlation of results which is to be carried out in 1995.

An in-depth analysis is being undertaken of data from IOM regional geological and geophysical studies in section B.1, for the purpose of preparing data on the relinquishment of 10 per cent of the area reserved for IOM to revert to the Area.